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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
STATE OF CALIFORNIA—Part 7

HEARING

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTY-THIRD CONGRESS

SECOND SESSION

APRIL 20, 1954

(AFTERNOON SESSION)

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RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

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RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress the following standing committees:

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American Activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee is authorized to make from time to time, investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States; (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such time and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by such chairman, and may be served by any person designated by any such chairman or member.

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE STATE OF CALIFORNIA—PART 7

TUESDAY, APRIL 20, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,
San Diego, Calif.

PUBLIC HEARING

AFTERNOON SESSION

The subcommittee of the Committee on Un-American Activities met, pursuant to adjournment, at 1:45 p. m., in the Chamber of Commerce Building, Hon. Donald L. Jackson (acting chairman), presiding.

Committee members present: Representatives Donald L. Jackson and Clyde Doyle.

Staff members present: Frank S. Tavenner, Jr., counsel; William A. Wheeler, staff investigator; and Mrs. Billie Wheeler, acting for the clerk.

Mr. JACKSON. The committee will be in order.

Who is your next witness, Mr. Counsel?

Mr. TAVENNER. Mr. Bertram Coffey. Will you come forward, Mr. Coffey, please?

**TESTIMONY OF BERTRAM COFFEY, ACCOMPANIED BY HIS COUNSEL,
JOSEPH GENSER**

Mr. JACKSON. Will you raise your right hand, sir?

Do you solemnly swear in the testimony you are about to give before this committee, that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. COFFEY. I do.

Mr. JACKSON. Be seated, please.

For the purpose of taking the testimony of this witness, the Chair relinquishes the gavel and the chairmanship to Mr. Doyle.

(At this point Mr. Doyle assumed the chair.)

Mr. TAVENNER. What is your name, please, sir?

Mr. COFFEY. Bertram Coffey.

Mr. TAVENNER. Are you accompanied by counsel, Mr. Coffey?

Mr. COFFEY. I am, Mr. Tavenner.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. GENSER. Joseph Genser.

Mr. TAVENNER. And where do you practice law?

Mr. GENSER. At 340 11th Street, Richmond, Calif.

Mr. TAVENNER. When and where you born, Mr. Coffey?

Mr. COFFEY. I was born in Brooklyn, N. Y., June 18, 1916.

Mr. TAVENNER. Where do you now reside?

Mr. COFFEY. I live in the city of El Cerrito, Calif.

Mr. TAVENNER. How long have you lived there?

Mr. COFFEY. In the city of El Cerrito approximately, oh, a little more than a year, I bought a home there a little over a year ago. It is adjacent to the city of Richmond, Mr. Tavenner.

Mr. TAVENNER. When did you come to the west coast?

Mr. COFFEY. I arrived here in July of 1944.

Mr. TAVENNER. Have you lived in California continuously since July of 1944?

Mr. COFFEY. I would say so, except for brief trips, vacations, and so forth.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. COFFEY. I am a graduate of New York University, School of Commerce, the year of 1939. Prior to that the usual preliminary precollege training.

Following university training I did study law for a while but concluded my training of that.

Mr. TAVENNER. What is your occupation or profession?

Mr. COFFEY. Well, I am a self-employed publicist, advertising.

Mr. TAVENNER. Will you tell the committee, please, how you became employed after you graduated from New York—you say New York University?

Mr. COFFEY. University.

Mr. TAVENNER. New York University in 1939, and the completion of a year or a part of a year in the law school?

Mr. COFFEY. Well, it wasn't important how long I was in law school, whether it was a year or more, but I believe at this point I will have to state I will not discuss my occupation, my employment, my clients, et cetera, on the grounds of the fifth amendment.

Mr. TAVENNER. It was not my purpose to ask you about your clients.

Mr. COFFEY. I realize that, sir.

Mr. TAVENNER. It is the nature of your employment I was concerned about at the time you came to California.

Mr. COFFEY. Well, I could answer that as I did, publicity has been my work.

Mr. TAVENNER. By whom were you employed when you came to California in 1944?

Mr. COFFEY. I don't think I will answer that question, sir, on the grounds that I don't want to be a witness against myself or any prior employer or any client since.

Mr. JACKSON. Mr. Chairman, it seems to me that the matter of preliminary employment without respect to clients or anything of that sort is an essential part of identification of the witness and I respectfully ask that he be directed to answer the question.

(At this point Mr. Coffey conferred with Mr. Genser.)

Mr. DOYLE. As soon as you are through consulting your counsel Mr. Coffey.

Mr. COFFEY. I am sorry, sir. I didn't hear you.

Mr. DOYLE. I say, as soon as you are through consulting your counsel on that point, if you do not answer the question I will instruct you to do so, that last question of counsel.

Mr. COFFEY. Since we have had two questions asked me, sir—Mr. Jackson, I wish you would speak a little louder. I didn't hear you.

Mr. JACKSON. I would be very happy to. My request of the chairman was that he direct you to answer the question which was asked you by counsel.

Mr. COFFEY. That is correct, and I have been directed to answer.

Mr. DOYLE. That is right.

Mr. COFFEY. May I consult with my attorney?

Mr. TAVENNER. At all times.

Mr. DOYLE. You may have all the time you want.

May I ask you, Mr. Tavenner, to repeat the last question?

Mr. TAVENNER. Will you read the question, please?

(The question was read by the reporter.)

Mr. COFFEY. Mr. Tavenner, I believe I invoked the privilege on that question some minutes ago. I don't want to belabor the point.

Mr. DOYLE. May I ask this, Mr. Coffey?

Mr. COFFEY. Yes, Mr. Doyle.

Mr. DOYLE. You have been instructed to answer that question. Do you refuse to answer it on constitutional grounds?

Mr. COFFEY. Yes, sir. I was establishing that point on the constitutional ground.

Mr. DOYLE. What portion of the Constitution do you rely on, if you care to specify?

Mr. COFFEY. I rely upon the first amendment, sir, and the fifth amendment, sir, without making any speech about the subject.

Mr. DOYLE. Very well.

Mr. JACKSON. Thank you for that.

Mr. COFFEY. Thank you.

Mr. DOYLE. Proceed, counsel.

Mr. TAVENNER. Did you engage in the work of an organizer of the CIO in the beach area of Los Angeles in 1944 and 1945?

Mr. COFFEY. I think it flows, sir, from my previous answer that, and I respectfully say this, I don't wish to discuss that period in any manner with regard to employment or activity.

Mr. DOYLE. I will say, Mr. Coffey, if you are undertaking to say you stand on your constitutional rights, of course you will have that right, but as a member of the committee, I don't see how whether or not you were employed by the CIO would incriminate you. I don't look on the CIO as any organization which is engaged in any un-American activities.

Mr. COFFEY. No comment to that, sir.

Mr. DOYLE. Do you decline to answer?

Mr. COFFEY. I believe I stated to counsel, Mr. Doyle, I decline to answer on the grounds that I have established previously.

Mr. DOYLE. Very well.

Mr. TAVENNER. I hand you a photograph marked "Wereb Exhibit No. 2," and will ask you whether or not that is a photograph of you.

Mr. COFFEY. That is a very good photograph of me, sir.

Mr. TAVENNER. Did you hear the testimony of Mr. Stephen Wereb this morning?

Mr. COFFEY. Yes.

Mr. TAVENNER. Mr. Wereb testified that you came to the executive committee of the Hawthorne Club of the Communist Party to obtain assistance in connection with your union organizational activities at the Standard Oil plant in the beach area of Los Angeles. Was he telling the committee the truth or not about that?

Mr. COFFEY. Excuse me.

Mr. DOYLE. You take whatever time you need, Mr. Coffey, to talk with your lawyer. We will not hurry you.

(At this point Mr. Coffey conferred with Mr. Genser.)

Mr. COFFEY. At this point I want to state this for the benefit of the committee.

I am not a member of the Communist Party and I have not been a member of the Communist Party since, to the best of my knowledge. Mr. Tavenner, and gentlemen, some time in the winter of 1946, and I would rather not discuss any matters relating to that period or prior to it on the grounds that I have already established, sir, the first amendment and the fifth amendment, and again I will say, and I know the committee will appreciate that, I will not belabor the point or go into historical backgrounds, et cetera, while I am invoking that amendment.

Mr. DOYLE. Then let's have the record show clearly you are now again refusing to answer this question under your constitutional right.

Mr. COFFEY. That is correct, sir.

Mr. JACKSON. Mr. Chairman, I think the record should show positively, in light of the voluntary statement made by the witness, that he is not now a member of the Communist Party, but that he was and left the Communist Party must put the balance of his testimony in an entirely different category and I think that it is only fair to state to the witness that moral compulsion relative to additional questions which may be asked of you by counsel dealing with the period of your membership in the Communist Party is not an adequate or sufficient basis for refusal to answer such questions. I simply want to get that in the record, Mr. Chairman.

Mr. COFFEY. Sir, I am trying to understand your statement.

Mr. JACKSON. Let me phrase it a little differently. Perhaps it will be a little easier to understand. The decisions relative to testimony which have been handed down in many instances have held that when a witness answers certain questions or volunteers certain information he in effect waives certain rights which he might otherwise enjoy in the absence of such voluntary testimony.

Mr. COFFEY. Excuse me, Mr. Jackson, I believe I follow you, but I didn't say what you said I said. I think my statement will show that.

Mr. JACKSON. My recollection of it is you said you were not now a member of the Communist Party and that you had not been a member of the Communist Party since, I believe, the winter of 1946. That is substantially, as I recall, subject to correction by counsel or Mr. Doyle, the essence of your statement which was a voluntary statement having to do with the subject of this interrogation and may materially alter the subsequent course of the committee.

I felt that that should be on the record at this point.

Mr. DOYLE. That is correct.

If there is any question in your mind, Mr. Coffey, as to what you volunteered, as relates to the discussion between you and Committee Member Jackson, I will ask the reporter to retrace her notes and read back to you what you did volunteer.

Mr. COFFEY. I think the record will report what I said, sir, and again I don't want to belabor the point.

Mr. DOYLE. There is no doubt it will report what you said, but if any question is in your mind about whether or not you said substantially about what Mr. Jackson called your attention to, said what you said, I want the reporter to read it so you will not be confused.

Mr. COFFEY. I believe, sir, I recall very well what I said. I don't again want to take up the time of the committee in sparring about the subject.

Mr. JACKSON. This is not sparring.

Mr. COFFEY. I recollect that.

Mr. JACKSON. It is a matter which may have subsequent effect on this case, and I wanted you to be aware of that, under the circumstances.

Mr. TAVENNER. Mr. Coffey, a note that I have here as to what you said is, that you had not been a member of the Communist Party since the winter of 1946.

Mr. COFFEY. I said to the best of my knowledge, that period.

Mr. TAVENNER. Have you since 1946 engaged in any Communist Party activities, since 1946?

Mr. COFFEY. Of course not.

Mr. TAVENNER. But prior to the winter of 1946 where were you living?

Mr. COFFEY. Prior to the winter of 1946?

Mr. TAVENNER. Yes.

Mr. COFFEY. Well, again, sir, as I said before, I will decline to answer that, any question relating to that period.

Mr. DOYLE. May I make this clear. Our experience on the committee makes us feel that the question of where a man lives is not a question of incrimination and that it is foundation questions or identification that the committee is entitled to of a factual nature as to where a person lived at a given time, so I want you to take plenty of time to consult your lawyer, because I expect to direct you to answer that question.

(At this point Mr. Coffey conferred with Mr. Genser.)

Mr. COFFEY. I repeat my answer, sir. I will decline to answer the statement as I have stated a number of times prior to, roughly, that winter of 1946, on the ground of fifth amendment, sir.

Mr. DOYLE. Then let me make it clear right now. On behalf of the committee I am directing you to answer that question of where you lived at the time asked by Mr. Tavenner.

(At this point Mr. Coffey conferred with Mr. Genser.)

Mr. COFFEY. I repeat the statement I made prior to your last question, Mr. Doyle.

Mr. DOYLE. In other words, you are standing on your constitutional privilege?

Mr. COFFEY. I am standing on my constitutional privilege.

Mr. DOYLE. Very well. Let me say again, you understand we have no objection to a man standing conscientiously on his constitutional privilege.

Mr. COFFEY. I understand that.

Mr. TAVENNER. Were you a member of the Hawthorne group during 1945 or 1946?

Mr. COFFEY. I have already stated my position on that, Mr. Tavenner. And I again invoke my constitutional privilege and decline to answer that kind of a question.

Mr. TAVENNER. You have also told the committee that you have not been a member of the Communist Party since the winter of 1946.

Mr. COFFEY. That is right, sir.

Mr. TAVENNER. Indicating that you were a member of the Communist Party prior to the winter of 1946.

Mr. COFFEY. I have stated by answer to those questions before, and I don't think I have to be told what I said. I think the record will show what I said.

Mr. TAVENNER. The legal effect of what you said may well be that you have waived your right to claim the fifth amendment, having stated what you did, having volunteered what you did.

Mr. COFFEY. I understand.

Mr. TAVENNER. So it is necessary for me to ask you the specific question as to whether or not you were a member of the Hawthorne Club of the Communist Party.

Mr. COFFEY. I have answered that question, sir, by invoking my constitutional privilege.

Mr. TAVENNER. Were you a member of the Communist Party before you came to the west coast in July of 1944?

Mr. COFFEY. Again, sir, I decline to answer that question on the grounds of the fifth amendment.

Mr. TAVENNER. Were you acquainted with Mr. Stephen Wereb who testified before the committee this morning?

Mr. COFFEY. On the same grounds I will decline to answer that question.

Mr. TAVENNER. Did you engage in the work of organizing a strike in 1945 or any organizational work for the CIO at the Standard Oil plant in the bay area?

Mr. COFFEY. I thought I had stated my position on that subject quite adequately.

Mr. TAVENNER. In other words, you will not give the committee any information relating to a period of time prior to the winter of 1946?

Mr. COFFEY. For the reasons I have stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JACKSON. Mr. Coffey, were you in the city of Washington, D. C., about 2 or 3 weeks ago?

Mr. COFFEY. Yes, sir.

Mr. JACKSON. At that time did you have a conversation or conversations with the acting chairman of the committee, the gentleman from California, Mr. Doyle, and with our colleague from the San Francisco Bay area, Congressman Shelley?

Mr. COFFEY. Yes, sir.

Mr. JACKSON. Isn't it a fact that you informed both of those gentlemen at that time that you had been a member of the Communist Party?

Mr. COFFEY. Sir, I will answer that question as I have already answered that question. The record will show what I said.

Mr. JACKSON. But you did so inform them?

Mr. COFFEY. The record will show what I said, Mr. Jackson.

Mr. JACKSON. I know, but I don't recall at the moment what you said. Did you so inform the two members of Congress?

Mr. COFFEY. I did.

Mr. JACKSON. Did you not at that time ask for a hearing before the House Committee on Un-American Activities in Washington, D. C.?

Mr. COFFEY. I think that requires a clarification and if at this point I may take a minute, I will try to be brief.

Mr. JACKSON. Will you answer the question, then explain your question in your answer.

Mr. COFFEY. I didn't—your phrasing of the question, sir, puzzles me, because I—

Mr. JACKSON. Let me rephrase it. Did you ask to be heard in the city of Washington, D. C., before the Un-American Activities Committee; did you make that request?

Mr. COFFEY. I said at the time, under duress—well, cross that word out. Let's put it this way. I did suggest to Mr. Doyle in a conversation what had been happening to me over a number of months to the effect that my wife, my relationships with my people, either were being seriously hampered by rumors to the effect that I was now a Communist, that I was under subpoena, that I had been subpoenaed before, which was true, I was subpoenaed as you gentlemen very well know in December of 1953, and under the stress of that kind of situation, which I think this committee and you gentlemen up there can very well understand, and because my reputation, my need to provide for my family, my wife and two children, two infant children, with the wherewithall to live, was being seriously damaged by rumors that had been floating around in many circles, under those conditions, Mr. Jackson and Mr. Doyle, I went to Washington at my own expense to discuss this problem.

Mr. DOYLE. Were you not under subpoena when you came to Washington?

Mr. COFFEY. Oh, no. That is right.

Mr. DOYLE. I think I saw a release in a San Francisco paper by you, or purporting to be by you, on your return to San Francisco, saying you had been summoned to Washington.

Mr. COFFEY. No, sir, I never said that, Mr. Doyle.

Mr. DOYLE. I merely want to get that correct, because as far as I know you were not.

Mr. COFFEY. There was confusion about that in the press.

Mr. DOYLE. In other words, will you answer this question; you were not summoned to come back to Washington, were you?

Mr. COFFEY. As a matter of fact, sir, I said when asked by the press that I voluntarily went to Washington for the reasons and backgrounds I have just given you, because I was seriously upset.

Mr. DOYLE. You voluntarily came and you were not under subpoena?

Mr. COFFEY. I was not under subpoena except some language had been used once, "You had been subpoenaed, you are under technical subpoena." I think I read that some place by some member of the committee. That is not important. I will say to the best of my knowledge I was not under subpoena and voluntarily came to Washington.

Mr. DOYLE. Without being summoned to Washington.

Mr. JACKSON. Following the conversations with my two colleagues in the House, did you then have an extended conference with counsel for the committee, Mr. Tavenner?

Mr. COFFEY. Yes; I sought Mr. Tavenner out, as a matter of fact. I did want to talk to Mr. Tavenner about this entire problem.

Mr. JACKSON. And after your conversations with Mr. Tavenner, a date for a hearing was set in Washington; was that not the case?

Mr. COFFEY. I would have to answer that this way. That deliberations may have led the committee at a meeting voluntarily to offer me a hearing which I did not accept; which I did not accept, and I did speak with Mr. Tavenner on a Friday afternoon, following being advised by both Mr. Tavenner and Mr. Doyle. Mr. Doyle, I remember in the hall of the Old House Office Building, said to me that I was a lucky boy, that I would have an open hearing on a Monday, and this isn't what in my own mind, and I am sure you understand the nature of my mind at that time, wasn't what I came to Washington for, because I knew in any event I was going to be subpoenaed and I did have a conversation, I don't know how long it took, with Mr. Tavenner, and I did tell him that I would let him know, or his secretary. He told me to let his secretary know, and I said I would let his secretary or him know whether or not I would remain for it to appear Monday.

I then, after spending some time, I did talk to the Congressman about the subject and he said, to the best of my memory, that it would not prejudice me, that I could have a hearing at any place, but if I wanted one in Washington I could have it, and I said I would speak to Mr. Tavenner, and I did wire Mr. Tavenner's office Saturday morning and went home and waited on my subpoena, received a phone call from Mr. Wheeler to the effect he would be in San Francisco, went to Mr. Wheeler's hotel to save him the necessity of serving me and received a subpoena there for this hearing.

That, in substance, Mr. Jackson, is the story about the Washington trip.

Mr. DOYLE. Have you any other questions, Mr. Tavenner?

Mr. TAVENNER. I have one other question.

Mr. DOYLE. May I ask this question? You said you did not know how long the conversation between you and Mr. Tavenner lasted. I am informed that it lasted about 3 hours.

Mr. COFFEY. Did it?

Mr. DOYLE. Is that not correct?

Mr. TAVENNER. That is a very conservative statement, I think.

Mr. COFFEY. Well, Mr. Tavenner, if I recall, we had two conversations, one which was brief, and the second which was quite interrupted; you remember you were seeking out some people.

Mr. TAVENNER. Yes; it was interrupted.

Mr. COFFEY. And I walked around the building quite a bit and made myself available. So I couldn't say, in all honesty, sir, except that I did have a conversation at length with Mr. Tavenner.

Mr. DOYLE. The reason I ask that is that I am sure you will agree that it was at length and that Mr. Tavenner made himself available at length to you.

Mr. COFFEY. That is correct.

Mr. TAVENNER. The question that I was about to ask, after your return from Washington, Did you give an interview to the press in

San Francisco in which you stated that you had been a member of the Communist Party?

(At this point Mr. Coffey conferred with Mr. Genser.)

Mr. COFFEY. Well, when I returned from Washington—may I answer it this way? When I returned from Washington a news story had broken, a doped story, so to speak, in one of the columns, and the press was on the phone constantly for about 48 or 72 hours, and I guess I answered what the press asked me, to the best of my knowledge.

Mr. TAVENNER. Well, did you state to the press that you had been a member of the Communist Party?

Mr. COFFEY. I will have to decline to answer that on the same grounds that I have stated before.

Mr. TAVENNER. I have no further questions.

Mr. DOYLE. Mr. Jackson.

Mr. JACKSON. I have no questions, Mr. Chairman, but I do have a brief statement that I should like to make.

A great deal has been made in the California press of the case involving the present witness. It has been alleged in some quarters that this witness is here today because of the fact that he belongs to a political party other than my own. I should like to say that nothing could be further from the truth. The witness is here because of his identification with activities of the Communist Party.

I should like to have it clearly understood, Mr. Chairman, that any time the investigative staff of this committee comes in with the identification of a Republican as a member of the Communist Party, he will be put on the stand just as quickly if I have anything to say about it. This hearing has no political overtones so far as I am concerned, and in all of the matters relating to this witness there has been the closest consultation between Mr. Doyle and myself and the other members of the committee.

So I should like to lay at rest the political ghost which has attached itself to this case.

Mr. COFFEY. Mr. Jackson, before you lay it completely at rest, may I toy with the ghost just a moment?

Mr. JACKSON. Certainly, kick it around.

Mr. COFFEY. I will kick him.

It is a matter of record, I am sure, that since the primary campaigns of 1946—I think we can fix the dates around election time, since I think we are all involved in politics to one extent or another—I became active in the Democratic Party, registered in the Democratic Party. I became a resident in my community to stay, registered to vote as a Democrat.

I volunteered to act in behalf of Democratic candidates. I believed then and I believe now, and I believe now very strongly that this was a party that was making great contributions to our Nation, to its people, and giving great leadership to the rest of the world.

It was in this party that I exercised my privileges of citizenship. It is in this party that I have been active. It is not my fault as a result of my activity in the Democratic Party, Mr. Jackson, that I have been elected by the people of my community a number of terms.

Mr. JACKSON. Upon that I congratulate you. That is an interesting statement.

Mr. COFFEY. And I congratulate you upon your past elections, but have been elected and I had filed as a Democrat in my community

in the last campaign and it is my impression that, this being an election year, perhaps the biggest in the history of our country, that I would be subject to criticism and identified with some association——

Mr. JACKSON. I simply want to make my position clear. It is not your activities in the Democratic Party which brought you before the committee, but alleged activity within the Communist Party, and other than that I have nothing further.

Mr. DOYLE. Mr. Coffey, may I ask you a couple of questions, please?

You volunteered the information—may I state this, and again, because it has been called to the attention of this group, and if you have listened you will know Mr. Jackson and I are on opposite sides of the political fence.

As far as the functioning of this committee is concerned, I have no hesitancy in saying publicly again that which I have stated frequently, that by and large we are undertaking to cooperate on a high level, on a nonpartisan basis.

I am not saying we are always successful, but by and large that is what we are aiming at.

This particular hearing today, I am a Democrat and Mr. Jackson is a Republican, but we are representing the United States Congress.

May I state that, knowing what the record was as to the testimony under oath that was going to be given with reference to you, Mr. Coffey, you sat here this morning and heard all that testimony. I fail to see how you or anyone else in the Democratic Party of which I am a member in California, and proud of it, or any other person could claim that it has a political overtone, because in my book as a Member of Congress I certainly would not let any Democrat or any Republican, regardless of who he is or what his profession is, get by without our trying to find out whether or not that person was still an active member of the Communist Party or carrying on the Communist philosophy under some other political party registration.

Now, I want to say to you, sir, and I say it without any feeling of haste, I am concerned, sir, that you could not be in this room all this morning and hear the testimony of this former FBI man under oath and then take the position with reference to your congressional committee, which is not cooperating with the committee in the field of uncovering subversive activities.

Now, may I state frankly again, if it is true, and you haven't denied it, and you pleaded your constitutional privilege, thank God we have it in this country and they don't have it in Soviet Russia, so you and I should be mighty proud as an American citizen, and I don't criticize you in claiming your privilege, believe me, if it is done conscientiously. but I have to, for my own position as a Congressman and as a fellow citizen I can't help but inferentially, at least, believe that what the FBI man said was true about your activities, when he said you were a member of a certain Communist Party and when he stated you did certain things.

Now, I have known of cases of young men your age in the last 4 or 5 years who have been active in the Communist Party back in 1944, 1945, 1946, and then withdrawn for cause. They have come forward and said, "Sure I was. I was 7 or 8 or 10 years younger then; I pulled a boner; I made a mistake. Now, because I have discovered, before I withdrew from the Communist Party, that I couldn't consistently

stay in the outfit which was dedicated to the forceful overthrow of my country."

I have known of young men who have come forward and said, "Let me help you understand the Communist conspiracy in Los Angeles County."

Mr. COFFEY. Mr. Doyle, may I interject this at this point?

Mr. DOYLE. Yes, you may, and I am not trying to put you in a position where you have to explain any further position.

Mr. COFFEY. I recognize that, but you raised an interesting point, and I would like to say this, and I say it respectfully without attempting to use this committee as a sounding board.

I think that it is about time many of us judge people by what they have been doing in an adult period of their life, what I have been doing since I made my community, my home, my political activities, my other activities, speak for what I am and what I hope to be and what I want to return home tonight to be.

Mr. DOYLE. I read on yesterday a statement by Vice President of the United States Nixon.

Mr. COFFEY. I recall you read that statement, Mr. Doyle.

Mr. DOYLE. It appeared in the Examiner of the date given, Sunday, April 18, in which he stated:

Again I believe each case should be considered on its merits, particularly when dealing with an ideology which during 1930 had such an appeal among the intelligentsia and various other groups.

Mr. COFFEY. I agree with Mr. Nixon's statement. I don't often agree with the Vice President, but I agree with that statement.

Mr. DOYLE. How old were you when you first went into the Communist Party?

Mr. COFFEY. I think it is getting late, isn't it, Mr. Doyle? I have stated my position on that.

Mr. DOYLE. It is never too late to be helpful to your Nation.

Mr. COFFEY. There are ways in which one is helpful. The fact I may not be cooperating, to use the language of the committee, with this committee, may flow from other reasons and I wish you would give me credit for those reasons.

Mr. DOYLE. I grant that, sir, but you volunteered the statement you withdrew in 1946. Now, you volunteered that. Now, if you volunteered that—

Mr. COFFEY. Volunteered?

Mr. DOYLE. I thought you did.

(At this point Mr. Coffey conferred with Mr. Genser.)

Mr. COFFEY. I never used that language.

Mr. DOYLE. Oh, no; you didn't use that language.

Mr. COFFEY. I didn't use the language you used.

Mr. DOYLE. At any rate, I understood you to testify that you withdrew from the party, you thought, in the winter of 1946. That in substance. Now, if you did that—I am interested in you as a young man and the younger generation—at what age do people join the Communist Party? You joined a few years before 1946, I assume. Of course, if it is too personal, I don't expect you to answer it, but I think it is a proper question without your incriminating yourself, I assume.

Well, let me ask you this, Mr. Coffey, I am not picking out you to ask you this question, because the record will show that it is one of my stock questions when we have time to do it.

You withdrew in 1946 from the Communist Party. For what reason did you withdraw?

(At this point Mr. Coffey conferred with Mr. Genser.)

Mr. DOYLE. What is the reason you couldn't tolerate their philosophy any longer?

Mr. COFFEY. Sir, I didn't give any testimony about that. I think I said I have not been a member since.

Mr. DOYLE. All right, you have not been a member. Did you withdraw in the winter of 1946, or is it just you haven't been actually a technical member?

Mr. COFFEY. Again, sir, I will have to decline to answer that on the grounds I have established earlier in my testimony and ask you again to judge me as we must judge all men by how they are living, and I just want to say this: I feel resentful, naturally, and I think you would, Mr. Doyle, and any citizen would, that a committee that has been seeking legislation for 15 years under an act of Congress uproots me after what I think has been a mature attempt at living, living constructively, living democratically, trying to strengthen the democratic processes of the country, a country that all of us love, and here I am at this position in life at almost the age of 38 with two small children being seriously damaged by just the threat of a subpena some months ago.

Mr. DOYLE. Let me ask you this, Mr. Coffey. Have you spoken out against the Communist Party since you are no longer a member of it?

Mr. COFFEY. By my participation of the Democratic Party since 1946, by supporting its platform, its program, is a demonstrative answer to that question, Mr. Doyle, and if I were in Congress I would have been voting just as you have been voting as a Democrat.

Mr. DOYLE. Well, let me ask you, because I want to say this to you. Have you spoken out against the Communist Party since you are no longer a member of it, have you done that? Have you done it?

Mr. COFFEY. The record will speak for that, sir. I have.

Mr. DOYLE. What?

Mr. COFFEY. I have, sir.

Mr. DOYLE. Well, I am glad to know it. I want to compliment you and I want to urge you to do more of it.

Mr. COFFEY. And I would do more of it and we will all do more of it by participating in the political process of the country by maintaining our two-party systems.

Mr. DOYLE. I am not putting it on that level. I am asking you as a young man, a young American citizen—I would like to have your attention just a minute.

Mr. COFFEY. I am listening, sir. I am just trying to relax.

Mr. DOYLE. I am not trying to relax you. I am trying to get something across to you.

You are a Democrat. So am I.

Mr. COFFEY. That is right.

Mr. DOYLE. I am not satisfied that living in the Democratic Party and working for it and activity in it is the only thing that is necessary these days, even a vigilant Democrat or a vigilant Republican. I came

to the point somewhere years ago where I felt as a Democratic congressman and a Democratic citizen that my duty was to speak out and vigorously work against the Communist conspiracy.

Now I am urging you, sir, as an active member of the Democratic Party to get on that level because I think it is not less important that you and I as American citizens get on the level of thinking which is vigorous and vigilant against the Communist conspiracy which you and I know is abroad right here, and I am aware of the fact, and I hope you are, that right in California there are former Communists by registration who are still at heart Communists, and they have and are trying to infiltrate the Democratic and Republican Parties.

I think that is all, Mr. Jackson.

Mr. TAVENNER. I have one further question, Mr. Chairman.

You referred in rather a disparaging way to the matter of cooperating with this committee. May I ask whether since the winter of 1946 you have cooperated with the FBI in any manner, regarding Communist Party activities?

Mr. COFFEY. The FBI has not asked for my cooperation.

Mr. TAVENNER. And you have not offered it?

Mr. COFFEY. I have never been visited by the FBI. My only cooperation in the sense of an organization of that nature with our government was in helping to line up a trip to help the beloved President of the United States.

Mr. TAVENNER. You have given no facts relating to Communists' activities to the Federal Bureau of Investigation?

Mr. COFFEY. I have answered that. The Federal Bureau has not visited me.

Mr. TAVENNER. And you didn't visit it? You volunteered nothing?

Mr. COFFEY. I have never been visited by the Federal Bureau.

Mr. TAVENNER. Did you volunteer any information to them?

Mr. COFFEY. Do we have to continue this, Mr. Tavenner?

Mr. TAVENNER. Well, unless you answer the question.

Mr. COFFEY. I haven't.

Mr. TAVENNER. That is all I wanted to know.

Mr. DOYLE. Do you have any further questions?

Mr. TAVENNER. That is all.

Mr. DOYLE. Unless you have something further, Mr. Coffey, that is all.

Thank you very much.

(Whereupon the witness was excused.)

(At the point Mr. Jackson resumed the chair.)

Mr. TAVENNER. Mr. Milton Lessner, will you come forward?

Mr. ESTERMAN. May I address the chairman most respectfully. I represent this witness. I want to make a request based upon some law which I presented to both members of the committee and to your counsel, to-wit:

United States vs. Kleinman, which appears in 107 Fed. Sup., at page 407, and which says unequivocally that the calling of witnesses before a committee before television and radio apparatus is not conducive to the calm and quiet search for facts, and that witnesses are not required to be subjected to spot lights, television, radio and reproducing apparatus, and for that reason most respectfully I request that you turn off these lights which hurt my eyes and that you turn off the radio.

That is our request.

Mr. JACKSON. Very well, the request is noted in the record. During the noon recess the committee took this matter under consideration, and it was brought to my attention that in drafting of the rules of procedure of the House Committee on Un-American Activities this particular citation had been given considerable thought and studied by the full committee.

Out of that study in January of this year there was developed a printed set of rules and regulations of the committee. That section having to do with televising of hearings I will read into the record at this time. It is section XIII of the Rules of Procedure of the Committee on Un-American Activities, which states:

Televised hearings:

(A) If a hearing be televised:

(1) Television facilities in the hearing room shall be restricted to two cameras the minimum lighting facilities practicable, and the television production shall be available on a pool basis to all established television companies desiring participation.

(2) Telecasts of committee hearings shall be on the basis of a public service only, and this fact shall be publicly announced on television in the beginning and at the end of each telecast. No commercial announcements shall be permitted from the hearing room or in connection therewith, and no actual or intimated sponsorship of the hearings shall be permitted in any instance.

Upon the request of a witness that no telecast be made of him during the course of his testimony, the chairman shall direct that television cameras refrain from photographing the witness during the taking of his testimony.

Under the rule a witness may not personally be televised if he objects and any request by a witness that he not be televised will be respected by the committee.

However, the Chair cannot permit dictation as to the conduct of any hearing beyond the purview of the written rule.

The demand that no audio or visual broadcast, either of television or radio, be allowed, appears to the chairman to be an infringement of the freedom of communication and of the press. This is an open hearing of a duly constituted committee of the Congress of the United States and the committee feels the activities of the committee should be available to all of the legal media of transmission of information.

For this reason the Chair will direct the present witness not be televised during his testimony in accordance with the rules of procedure of the full Committee of the House Un-American Activities.

I would like to have the record state affirmatively that the minimum lighting necessary to the operation of the television camera is being used; that the lights are quite some distance from the witness and the cameras are so lighted that they should not constitute any considerable bar to the taking of testimony.

In the light of these facts, Mr. Counsel, the hearing will proceed.

Mr. ESTERMAN. I thank you for that statement. I want to make it very clear that I espouse the freedom of the press just as you do, and not only have no objection to the press, I welcome them, and I want to make that statement on the record. I wasn't talking about freedom of the press. I was talking about what this court called, and other courts have called, a carnival attitude which is not conducive to the adducing of facts for one of the highest deliberative bodies of the United States.

Mr. JACKSON. Very well.

Mr. ESTERMAN. I understand my request has been partially granted and partially denied.

Mr. JACKSON. That is correct.

Mr. ESTERMAN. Now, we don't want that light in our eyes. I am making the request that it be taken out of our eyes.

Mr. JACKSON. Just a moment, please.

(Short interval.)

Mr. JACKSON. Very well. In an effort to accommodate the witness to every possible extent, the light on this camera will be put out.

Will the witness raise his right hand, please?

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LESSNER. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please?

**TESTIMONY OF MILTON LESSNER, ACCOMPANIED BY HIS COUNSEL,
WILLIAM B. ESTERMAN**

Mr. LESSNER. Milton Lessner.

Mr. TAVENNER. I notice you have counsel beside you.

Mr. ESTERMAN. William B. Esterman, E-s-t-e-r-m-a-n.

Mr. TAVENNER. Of the Los Angeles bar?

Mr. ESTERMAN. California bar.

Mr. TAVENNER. When and where were you born, Mr. Lessner?

Mr. LESSNER. Connecticut.

Mr. TAVENNER. When?

Mr. LESSNER. 1913.

Mr. TAVENNER. Where do you now reside?

Mr. LESSNER. San Diego.

Mr. TAVENNER. How long have you lived in San Diego?

Mr. LESSNER. I would say approximately 10 years. Is the television sound functioning, I would like to know.

Mr. JACKSON. Yes; the television sound is functioning.

Mr. LESSNER. My request originally was that no television be shown while I am testifying and that includes sound as well.

Mr. JACKSON. The Chair was well aware of the request.

Mr. LESSNER. And you have denied it?

Mr. JACKSON. The committee took the anticipated request under consideration and decided that we grant the request that you not be televised.

Mr. LESSNER. Television also includes sound.

Mr. JACKSON. You are not being televised with it.

Mr. LESSNER. But television includes sound.

Mr. JACKSON. Yes, the sound is on as it has been on radio ever since the committee has operated.

Proceed, Mr. Counsel.

(At this point Mr. Lessner conferred with Mr. Esterman.)

Mr. ESTERMAN. There is a question.

Mr. TAVENNER. When did you move to the west coast from Connecticut?

Mr. LESSNER. Twenty years ago.

Mr. TAVENNER. Where did you first reside on the west coast?

(At this point Mr. Lessner conferred with Mr. Esterman.)

Mr. LESSNER. I resided in Los Angeles.

Mr. TAVENNER. Have you lived continuously in Los Angeles from that time until the present time?

Mr. LESSNER. I just mentioned to you that I had been living in San Diego for the past 10 years.

Mr. TAVENNER. San Diego for the past 10 years?

Mr. LESSNER. Approximately 10 years, yes.

Mr. TAVENNER. What is your occupation or profession?

(At this point Mr. Lessner conferred with Mr. Esterman.)

Mr. LESSNER. I happen to be in business right now, Mr. Tavenner.

Mr. TAVENNER. How long have you been in business?

Mr. LESSNER. Well, in round numbers I would say—let me ask you this, what is the legislative purpose of such a question?

Mr. TAVENNER. We would like to understand—rather, let me put it this way. The committee has reason to believe that you are in a position to know of the existence of a professional group of the Communist Party within San Diego, and it will be my purpose to ask you what you know about such a group.

Mr. LESSNER. Well, why don't you ask me?

Mr. TAVENNER. I will ask you.

Mr. LESSNER. All right.

Mr. TAVENNER. But before that I want to know the business in which you were employed between 1944 and 1948.

(At this point Mr. Lessner conferred with Mr. Esterman.)

Mr. LESSNER. I would like to know the legislative purpose of that as it relates to the resolution of this committee, Mr. Tavenner, creating this committee.

Mr. TAVENNER. Well, I explained to you what was the subject under inquiry in calling you as a witness and the reason for my asking you the question about your occupation during that period of time. Now I will ask you again to answer the question.

Mr. DOYLE. I think, Mr. Tavenner, perhaps I can add a thought to the witness there. Under Public Law 601 we are charged, as you know, as I know, you are familiar with the resolution which you referred to, with the extent and the character of subversive activities and propaganda. The extent, of course, would go, as far as you are concerned, to the type of citizens that have been engaged in subversive activities and the character would go to the same purpose. I am merely making that as a supplemental statement.

(At this point Mr. Lessner conferred with Mr. Esterman.)

Mr. LESSNER. Do I understand, Mr. Tavenner, that you are relating that question to the resolution that Mr. Doyle just read?

Mr. JACKSON. Let the Chair, in order to bring that matter to a head say that the Chair feels that questions having to do with the educational background and occupational background are quite proper questions to be asked of the witness, and therefore the Chair directs the witness to answer.

(At this point Mr. Lessner conferred with Mr. Esterman.)

Mr. LESSNER. Mr. Chairman, in view of the fact of the statement made by Mr. Doyle and its relationship to the question, I decline to answer it for the following reasons:

One. This hearing, as I see it, is unlawful, essentially because it is a denial of the due process of law. For example, there is no cross-examination of stool pigeons and informers when these things are brought up.

Secondly, this is an unlawful attempt to search into my conscience, and I would like at this point to quote from the declaration of conscience, as spoken by Senator Margaret Smith before the House and Senate, in which she said:

I think it is high time that we remember that we have sworn to uphold and defend the Constitution.

I think it is high time that we remember that the Constitution, as amended, speaks not only for the freedom of speech but also of the trial by jury instead of the trial by accusation.

Those of us who shout the loudest about Americanism and making character assassinations are all too frequently those who by our own words and actions ignore some of the basic principles of Americanism, the right to criticize, the right to hold popular beliefs, the right to protest, the right of independent thought.

The exercise of these rights should not cost one single American citizen his reputation or his right to a livelihood nor should he be in danger of losing his reputation or livelihood merely because he happens to know someone who holds unpopular beliefs. Who of us does not; otherwise none of us could call our souls our own; otherwise thought control would upset him.

No. 3. According to the Constitution, I have a right to my own beliefs, a right to associate with those that I prefer to associate with, and this is guaranteed me, and this committee has undertaken to invade my conscience.

Fourthly, as a businessman, many of my customers have the impression that this is a court, and that I am being tried on criminal charges, and that it is up to this particular court to determine whether I am innocent or guilty.

I want to make it known now that this hearing is unlawful, that you are not a judge, jury, prosecutor, and that you cannot try me or punish me.

Mr. JACKSON. I am very glad to have the witness make that statement.

Mr. LESSNER. May I still have the floor, Mr. Chairman?

Mr. JACKSON. Yes.

Mr. LESSNER. Lastly, the Bill of Rights specifically states: You cannot compel me to bear witness against myself.

Mr. TAVENNER. May I suggest the witness be directed to answer the question?

Mr. JACKSON. Yes; the witness is directed to answer the pending question. Perhaps it should be asked again. That was some time ago.

Mr. ESTERMAN. May we ask that the sound effects also be turned off, Mr. Chairman?

Mr. JACKSON. Any request that is to be made——

Mr. ESTERMAN. Will you ask the——

Mr. LESSNER. Will you kindly turn off the sound effects. I requested that previously.

Mr. JACKSON. Yes, I know you did. The committee ruled on your request. The present conditions in the hearing room are those that will continue during the course of your testimony.

Mr. TAVENNER. Will you tell the committee, please, what was the type of your employment between 1944 and 1948 in San Diego.

That is the question which you refused to answer and you have now been directed by the chairman to answer it.

Mr. LESSNER. Mr. Chairman, it is the same question. I will give you the same answer, and it is the same Bill of Rights.

Mr. JACKSON. You decline to answer the question for the reasons you stated, is that correct?

Mr. LESSNER. No comment, Mr. Chairman.

Mr. TAVENNER. Were you at any time during the period I have mentioned—

Mr. JACKSON. Just a moment, counsel.

Mr. TAVENNER. Excuse me.

Mr. JACKSON. The question was asked by counsel and the committee would appreciate an answer or a declination to answer from you on that point, on the question. That is a reasonable request and a fair one, whether or not you are going to decline to answer the question that was asked on the grounds previously stated.

Mr. LESSNER. May I ask this, Mr. Chairman. During this period do you have any evidence that I have committed any illegal act or wrong?

Mr. JACKSON. No. Now, let us make it very clear in the record that you are not being charged or accused of anything. You are being asked to supply the committee with information which sworn testimony before the committee would indicate that you have in your possession and that it is within your power to furnish that information. This is not an accusation. There is no charge leveled. You will not be accused. You will be asked questions based upon sworn testimony. We are not a court, a judge, a prosecutor, nor a jury. It is a legitimate inquiry directed by the United States Congress.

Mr. DOYLE. I wish to state in addition to the chairman's statement to the witness, we have never claimed to be a judge or a jury or claim to find guilty.

Mr. LESSNER. Actions sometimes speak louder than words, and you do punish although it may not be any deliberate awareness on your part, but with reference to the Chair's—

Mr. DOYLE. I am quite aware that you have prepared speeches, prepared personally, in front of you.

Mr. LESSNER. I am not reading.

Mr. DOYLE. You were a minute ago.

Mr. LESSNER. That is my right.

Mr. DOYLE. That is right.

Mr. LESSNER. Then why bring it up?

Mr. DOYLE. If it isn't a speech that is quite all right, if you don't remember it, but on the other hand I just want you to know that the committee is not claiming to be a judge or a jury nor find guilt nor find innocence. We are not doing it today and we have not been.

Mr. LESSNER. Then why am I here?

Mr. DOYLE. You are here because under Public Law 601 you are a United States citizen and your United States Congress has delegated this group to come out here and see the extent of your knowledge in connection with subversive activities in San Diego and other areas, and we, under sworn testimony, I believe, have sworn testimony, that you know quite a little bit about it. We are asking you to answer us honestly and frankly for the benefit of the Congress you claim to honor.

Mr. LESSNER. You mention there has been sworn testimony. Has it been publicized?

Mr. JACKSON. That is a matter that absolutely does not relate to the question that is pending. A question has been asked you. You have been directed by the Chair to answer the question.

Mr. LESSNER. Will you repeat the question, please?

Mr. JACKSON. Mr. Counsel.

Mr. TAVENNER. The question still is, what was your employment in San Diego between 1944 and 1948?

Mr. LESSNER. Mr. Chairman, I decline to answer that on the same grounds.

Mr. JACKSON. Very well.

Mr. LESSNER. That I stated before.

Mr. JACKSON. Very well.

Mr. TAVENNER. Did you at any time——

Mr. LESSNER. Wait a minute. I am not through.

Mr. ESTERMAN. May it be agreed he does not have to repeat the grounds?

Mr. TAVENNER. Certainly, if he says on the grounds previously stated, I assume the chairman will accept it.

Mr. JACKSON. Yes.

Mr. ESTERMAN. Thank you very much.

Mr. TAVENNER. Mr. Lessner, did you at any time serve as probation officer in the San Diego County Probation Department from 1944 to 1948?

(At this point Mr. Lessner conferred with Mr. Esterman.)

Mr. LESSNER. Well, the dates, I am not sure of the dates, but as a matter of record, I was a probation officer.

Mr. TAVENNER. For how long a period of time were you an officer?

Mr. LESSNER. I would have to look up the record. I don't know exactly.

Mr. TAVENNER. What is your best judgment?

Mr. LESSNER. I think, Mr. Tavenner, you could look up the records as well as I. I mean, I am under oath now. I am not going to even give in round numbers what I think it is.

Mr. JACKSON. Does counsel have the period of his employment?

Mr. TAVENNER. No, sir.

Mr. JACKSON. Is there any approximation, whether 1 year, 2 years, or 3 years?

Mr. LESSNER. Oh, I think it has been a couple of years.

Mr. JACKSON. Two years that you so served?

Mr. LESSNER. Possibly.

Mr. JACKSON. Thank you.

Mr. TAVENNER. During the period of time that I have mentioned between 1944 and 1948, did you have any official position in connection with the Federal Housing project in this area?

Mr. LESSNER. Is that on your subversive list?

Mr. TAVENNER. No, it certainly is not. It certainly is not.

Mr. LESSNER. Then I shall answer, as I did in reference to the probation office job, that that was possibly about 2 years.

Mr. TAVENNER. During the period that you were either a member of the probation department or as an official connected with the Federal Housing Administration, were you a member of the professional group or cell of the Communist Party in San Diego?

(At this point Mr. Lessner conferred with Mr. Esterman.)

Mr. LESSNER. Mr. Chairman, I shall decline to answer that question on the grounds previously stated.

Mr. JACKSON. Very well.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. LESSNER. Same question, same answer, the same Constitution.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JACKSON. Do you have a question, Mr. Doyle?

Mr. DOYLE. No questions.

Mr. JACKSON. Is there any reason why the witness should not be excused?

Mr. TAVENNER. No, sir.

Mr. JACKSON. The witness is excused from further attendance on his subpoena.

Mr. James E. Toback.

Mr. ESTERMAN. Without repeating it, I am making the same request for this witness that I am making for the previous one, and I assume the ruling is the same.

Mr. JACKSON. The ruling is the same.

Will you raise your right hand, please?

Do you solemnly swear in the testimony you are about to give before this subcommittee you will tell the truth, the whole truth, and nothing but the truth so help you God?

Mr. TOBACK. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please?

TESTIMONY OF JAMES E. TOBACK, ACCOMPANIED BY HIS COUNSEL WILLIAM B. ESTERMAN

Mr. TOBACK. James E. Toback.

Mr. TAVENNER. Are you accompanied by counsel, Mr. Toback?

Mr. TOBACK. I am.

Mr. ESTERMAN. My name is in the record.

Mr. TAVENNER. Is it the same counsel?

Mr. ESTERMAN. I have every reason to believe that it is.

Mr. TAVENNER. When and where were you born, Mr. Toback?

Mr. TOBACK. I was born in Ukraine. That is part of Russia.

Mr. JACKSON. When did you arrive in this country?

Mr. TOBACK. I believe it was in 1906.

Mr. TAVENNER. Are you a naturalized American citizen?

Mr. TOBACK. I am.

Mr. TAVENNER. When and where were you naturalized?

Mr. TOBACK. It is a matter of record.

Mr. TAVENNER. When was it?

Mr. TOBACK. Approximately 1944, maybe 1943, maybe 1945. I think it was about 1944.

Mr. TAVENNER. Where were you naturalized?

Mr. TOBACK. Right here in San Diego.

Mr. TAVENNER. Now, when did you move to San Diego?

Mr. TOBACK. You mean when I first arrived here in San Diego?

Mr. TAVENNER. Yes, sir.

Mr. TOBACK. Oh, approximately, I believe around 1932.

Mr. TAVENNER. 1932?

Mr. TOBACK. I believe. It is 20—somewhere around that time. I haven't the memory that some of the witnesses have shown here. Have you the date?

Mr. TAVENNER. No; I do not.

Mr. TOBACK. About, I would say, somewhere around 1932.

Mr. TAVENNER. What was your statement with reference to what some of the witnesses have shown here? I didn't quite understand it.

Mr. TOBACK. I mean, you ask about events that took place some 20 years ago, and I possibly haven't the memory that all the witnesses have shown.

Mr. TAVENNER. Well, is your memory sufficient to state whether or not their testimony was correct as to your membership in the Communist Party?

(At this point Mr. Toback conferred with Mr. Esterman.)

Mr. TOBACK. Mr. Tavenner, I respectfully decline to answer that question, respectfully, for the following reasons:

1. The Bill of Rights protects me from any attempt to force me to bear witness against myself, and I want to point out to this committee that no inference can be drawn from my refusal to answer.

2. You have neither the right nor the power to accuse me or to punish me. You are not a court.

3. Under the first amendment and the Bill of Rights I am guaranteed freedom of conscience, and because you have no power to legislate in matters of conscience, you have no right to inquire.

Mr. TAVENNER. Were you a member of the Communist Party at any time prior to your naturalization in 1944 in San Diego?

Mr. TOBACK. It is the same question and gets the same answer as previously stated.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. TOBACK. Same question, same answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. No questions.

Mr. JACKSON. Is there any reason why the witness should not be excused?

Mr. TAVENNER. No, sir.

Mr. JACKSON. The witness is excused from any further attendance under the subpoena.

Will you call your next witness?

Mr. TAVENNER. Mr. Esco L. Richardson.

Mr. ESTERMAN. I have the honor to represent this witness.

Mr. JACKSON. The same request?

Mr. ESTERMAN. The same request and the same partial denial.

Mr. JACKSON. The same answer.

Will you raise your right hand, please?

Do you solemnly swear in the testimony you are about to give before this subcommittee you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RICHARDSON. I do.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF ESCO L. RICHARDSON, ACCOMPANIED BY HIS COUNSEL, WILLIAM B. ESTERMAN

Mr. RICHARDSON. Esco L. Richardson.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. RICHARDSON. I am.

Mr. ESTERMAN. Same counsel.

Mr. TAVENNER. When and where were you born, Mr. Richardson?

Mr. RICHARDSON. Orange County, Ill., January 29, 1904.

Mr. TAVENNER. When did you move to the west coast?

Mr. RICHARDSON. I believe in 19—you said when did I move to the west coast?

Mr. TAVENNER. Yes.

Mr. RICHARDSON. I was born in Orange County.

Mr. TAVENNER. I thought you said Illinois.

Mr. RICHARDSON. No. I believe it was 1928.

Mr. TAVENNER. Where have you resided since 1928.

Mr. RICHARDSON. You want me to tell you all the places I have resided since 1928?

Mr. TAVENNER. I would like to know what areas; not necessarily the particular address.

Mr. RICHARDSON. Well, there have been quite a number. Los Angeles County first.

Mr. TAVENNER. From what period to what period?

Mr. RICHARDSON. Approximately 1928 to 1932, the first part of 1933, 1933 to 1940 or the first part of 1941 in San Diego. In 1941 in Los Angeles County again. The latter part of 1941 in the State of Washington. From Washington back to Los Angeles County again, where I remained, I believe, until 1943 or 1944, when I moved to the island of Curaçao in the West Indies. In 1945 I was back in Los Angeles again, remained there until 1947, when I made a trip to the Pacific on a job; I was in the island of Guam.

Mr. TAVENNER. What was the period when you were in Guam?

Mr. RICHARDSON. That was the period; it was in 1948. Perhaps I left in the latter part of 1947.

Mr. TAVENNER. What was the nature of your employment at Guam? (At this point Mr. Richardson conferred with Mr. Esterman.)

Mr. RICHARDSON. I was employed by the Pacific island engineers as a surveyor.

Mr. TAVENNER. The committee has received evidence as to the manner in which the Communist Party induced its members to run for political office or to be registered on various committees or groups of the Communist Party as Communist Party members. The committee has in its possession a declaration of candidacy, under date of August 27, 1940, showing that you declared or that a person by the name of Esco L. Richardson declared himself a party candidate for nomination to the office of Congress in the 20th district on the Communist Party ticket. I would like to ask you first whether or not you can identify the signature on this photostatic copy as being yours, on the document I refer to?

Mr. RICHARDSON. Do you have the original?

Mr. TAVENNER. That is a photostatic copy.

Mr. RICHARDSON. Of the original?

Mr. TAVENNER. Yes. Will you turn it over and let the witness see it, please?

(At this point Mr. Richardson conferred with Mr. Esterman.)

Mr. RICHARDSON. In answer to this question, I must respectfully decline to answer for these reasons: That it is my belief that this committee is exceeding the powers that are granted to Congress by the Constitution; that it is usurping the power of the judiciary. The method in which these hearings are conducted, although it has been stated it is not a trial, it certainly is a trial to the individuals who are called here. They are tried and condemned by the questions and by the innuendoes that are made. Their livelihoods are threatened and great harm sometimes comes to them. They are denied the fundamental rights which the Constitution guarantees to every person who is accused of a crime, the right to be represented by counsel, the right to be informed of the accusations that are made, the right to confront and to cross-examine the accusers, the right to trial by jury in a public court.

The duty of trying individuals who are charged with committing crimes is reserved specifically by the Constitution to the judiciary, and the procedures under which these hearings are to be held are carefully outlined so that false accusations cannot be made without being answered. This is not true of the type of hearing that we are having here.

The Constitution also guarantees the right of free speech and free association.

It also guarantees me the right to listen and to remain silent.

This committee, I believe, violates the right of due process and the right to be protected against unlawful search and seizure.

The fifth amendment of the Constitution specifically says that no American shall be compelled to be a witness against himself, and I again want to call the committee's attention that the courts have warned this committee and others that no inference of guilt can be drawn from the fact that I claim this protection for myself.

I, therefore, refuse to answer this question.

Mr. TAVENNER. Were you an organizer in the Communist Party in San Diego at any period of time?

Mr. RICHARDSON. That is the same question. The same answer. I claim my constitutional privilege.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. RICHARDSON. That is the same question, and the answer applies.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. No questions.

Mr. JACKSON. Is there any reason why the witness should not be excused?

Mr. TAVENNER. No, sir.

Mr. JACKSON. The witness is excused from further testimony under the subpoena.

The committee will take a brief recess until 3:30.

(Whereupon at 3:23 p. m., the committee took a recess until 3:36 p. m.)

Mr. JACKSON. The committee will be in order.

Who is your next witness?

Mr. TAVENNER. Mr. John B. Olson.

Will you come forward, please, Mr. Olson.

Mr. JACKSON. Will you raise your right hand, please?

Do you solemnly swear, in the testimony you are about to give before this subcommittee, you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. OLSON. I do.

Mr. TAVENNER. Will you give us your full name, please?

**TESTIMONY OF JOHN B. (BEN) OLSON, ACCOMPANIED BY HIS
COUNSEL, ROBERT R. RISSMAN**

Mr. OLSON. John Bennett Olson the second.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. OLSON. I am.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. RISSMAN. My name is Robert R. Rissman. I am practicing law at 257 Spring Street, Los Angeles, Calif.

Mr. TAVENNER. What did you state was your name, your first name?

Mr. OLSON. John.

Mr. TAVENNER. John Bennett?

Mr. OLSON. That is correct.

Mr. TAVENNER. Were you also known as Ben?

Mr. OLSON. Yes; I am generally known as Ben.

Mr. TAVENNER. When and where were you born, Mr. Olson?

Mr. OLSON. Minneapolis, Minn.

Mr. TAVENNER. You now live on the west coast?

Mr. OLSON. I do.

Mr. TAVENNER. When did you come to the west coast?

Mr. OLSON. In 1938.

Mr. TAVENNER. Where do you reside?

Mr. OLSON. In Los Angeles.

Mr. TAVENNER. Have you lived in San Diego or the vicinity of San Diego?

Mr. OLSON. Yes; I have.

Mr. TAVENNER. Where?

Mr. OLSON. I lived in La Jolla.

Mr. TAVENNER. When was that?

Mr. OLSON. I lived here in 1941 to 1943 and from 1947 to 1948.

Mr. TAVENNER. What is your occupation or profession?

Mr. OLSON. If you mean present employment, I wish I could answer that definitely.

Mr. TAVENNER. What is your field; aside from what your present employment may be, what is your field of employment generally?

Mr. OLSON. I am a biologist.

Mr. TAVENNER. A biologist?

Mr. OLSON. Yes; I am.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been for the field of biology?

Mr. OLSON. I have a Ph. D. degree. I have gone through all the requirements for that.

Mr. TAVENNER. Will you tell the committee, please, where you received your educational training?

Mr. OLSON. I prefer not to answer that question. I would like to tell you why, or let's put it this way: I will answer those questions in closed executive session but not here in public hearing. I am proud of all the institutions with which I have ever been associated. I realize what happens when a person is subpoenaed and brought before the committee. Headlines are rampant, and I do not want to bring these—

Mr. TAVENNER. Let me change the form of the question.

Mr. OLSON. Yes.

Mr. TAVENNER. There was a witness, Mrs. Berman, on the witness stand this morning, and she was the dues director of the Communist Party here in San Diego. She produced a card with the name of Ben, B-e-n, period O, period. She identified in her testimony that information as referring to you. Now, on this same card appears the letters "E. D.," which she also says meant educational director. Were you educational director of any group?

Mr. OLSON. First of all, she said it applies to me?

Mr. TAVENNER. Yes.

Mr. OLSON. If I understand you correctly?

Mr. TAVENNER. Yes.

Mr. OLSON. I didn't know any such connection had been established. I wasn't aware of that.

Mr. TAVENNER. Let me ask you now, was her identification of you as a member of the Communist Party correct, or was it in error?

Mr. OLSON. I would like to have it clear right now that I decline to answer that question, and I would be happy to give you my reasons why.

I almost do not know where to begin, because it is such a very long story. I am very happy to be here. I have never felt more free and less under pressure in my life. This is the sort of thing that is feared in the academic world in which I have lived. The best of liberals are always afraid they are going to be called before the committee, and it is just a standing joke, and at least here I am, and I am very glad to make it clear, and I am proud to stand on the Bill of Rights in declining.

If a person did not take the opportunity of using that Bill of Rights, it wouldn't mean a thing, and out the window it would go with dirty water, and would go all of the freedom which the country enjoys.

Therefore, I decline to answer this question on the first amendment. It is an inquiry into my freedom to associate with whomever I wish to associate and hold whichever beliefs I wish to hold.

I will extend this to say that it does not apply just to this question but to any organization which you might mention here, for one never knows how long this list is going to grow of organizations.

I will not decline to answer questions just in reference to a particular organization, but any other organizations which might exist on lists of which I know nothing.

I decline on the basis of the fifth amendment, being fully aware that the fifth amendment is there not just to protect the guilty but is there just as much to protect the innocent. I am very pleased to invoke the fifth amendment in my behalf.

Mr. TAVENNER. Mrs. Mildred Berman testified here this morning that you were employed in some capacity at the time that you were

a member of a group of the Communist Party at Scripps Institute, and that you lived on the campus. Was her statement in that respect true or was it false?

(At this point Mr. Olson conferred with Mr. Rissman.)

Mr. OLSON. I am not here to testify as to the truth or falsity of the statements of your other witnesses. Therefore, I will decline to answer that on the same grounds as I before have invoked.

Mr. TAVENNER. Let me ask you whether you did live on the campus of Scripps?

Mr. OLSON. I lived on the campus at Scripps Institute.

Mr. TAVENNER. Were you employed there?

Mr. OLSON. I was a graduate student at Scripps Institution; and I received—

Mr. TAVENNER. What was the period when you were there?

Mr. OLSON. The periods named as to my residence in San Diego.

Mr. TAVENNER. 1941 to 1943 and 1947 to 1948?

Mr. OLSON. That is correct.

Mr. TAVENNER. During that time, were you aware of the existence of a cell or group of the Communist Party among either the students or faculty of that institution?

Mr. OLSON. I shall have to decline to answer that question on the same grounds as I used before.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. OLSON. I decline to answer that question for the same reasons, and you may ask me about any other organization which may or could be on your list, and the answer would have to be the same.

Mr. TAVENNER. Our subject of investigation relates to Communist Party activities in this area.

Mr. OLSON. I thought it related to un-American activities.

Mr. TAVENNER. You think there is a distinction?

Mr. OLSON. That is a matter of opinion, which I cannot be required to answer.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Any questions, Mr. Doyle?

Mr. DOYLE. No, sir.

Mr. JACKSON. Is there any reason why the witness should not be excused?

Mr. TAVENNER. No, sir.

Mr. JACKSON. The witness is excused from further attendance at this hearing.

Mr. TAVENNER. Mr. Carl Callender, will you come forward, please?

Mr. JACKSON. Will you raise your right hand, sir?

Mr. CALLENDER. No television.

Mr. JACKSON. You do not want to be televised?

Mr. CALLENDER. That is right.

Mr. JACKSON. No television camera will be turned on the witness.

Mr. CALLENDER. And the lights likewise.

Mr. JACKSON. The lights will be turned off. The same condition will exist as with the previous witness who requested it.

Raise your right hand.

Do you solemnly swear in the testimony you are about to give before this subcommittee, you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CALLENDER. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please, sir?

**TESTIMONY OF CARL C. CALLENDER, ACCOMPANIED BY HIS
COUNSEL, ROBERT R. RISSMAN**

Mr. CALLENDER. Carl C. Callender.

Mr. TAVENNER. Will you spell your last name?

Mr. CALLENDER. C-a-l-l-e-n-d-e-r.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. CALLENDER. I am.

Mr. TAVENNER. Will your counsel please identify himself for the record?

Mr. RISSMAN. Robert R. Rissman, of Los Angeles.

Mr. TAVENNER. When and where were you born, Mr. Callender?

Mr. CALLENDER. I was born in Butler, Pa., June 24, 1904.

Mr. TAVENNER. When did you come to the west coast?

Mr. CALLENDER. I think it was the latter part of 1935 or the early part of 1936.

Mr. TAVENNER. Where have you resided since 1935 or 1936?

Mr. CALLENDER. Practically all of the time in San Diego County.

Mr. TAVENNER. You state practically all of the time. Is there any other place that you resided during that period of time?

Mr. CALLENDER. Well, I spent about perhaps 8 or 9 months in Seattle. Perhaps a month in Monterey, Calif. That might even be 2 months.

Mr. TAVENNER. Mr. Callender, the committee has information which would indicate that you are in a position to give quite a bit of information relating to the existence of various groups or cells of the Communist Party in San Diego. For instance, this morning a witness, Mrs. Mildred Berman, who was dues director for the county organization here of the Communist Party, produced a card which she had made out at the time that she occupied that position which bears this information, "Carl C." She identified that as a meaning, as referring to Carl Callender, and opposite your names appears on this card, "D. and M." which she said meant dues and membership director of the Communist Party. My first question is whether or not she is correct in identifying this card and identifying you as having been the dues and membership director of a group of the Communist Party in San Diego.

(At this point Mr. Callender conferred with Mr. Rissman.)

Mr. CALLENDER. Mr. Chairman, to save your time and mine, I won't quote the first and fifth amendment, but I do wish hereby to invoke both of those amendments. I do not wish to state whether—what was her name?

Mr. TAVENNER. Mildred Berman.

Mr. CALLENDER. Whether Mildred Berman was telling the truth or not.

Mr. TAVENNER. Why?

Mr. CALLENDER. I have stated my reasons, the first and fifth amendments to the Constitution.

Mr. JACKSON. The witness has declined to answer the question on the ground of the first and fifth amendments.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. CALLENDER. The same answer for the same reason.

Mr. TAVENNER. Were you acquainted with Dan Taylor?

(At this point Mr. Callender conferred with Mr. Rissman.)

Mr. CALLENDER. I will decline to discuss anybody I know under my grounds, my rights under the fifth amendment of the Constitution.

Mr. TAVENNER. Anybody?

Mr. CALLENDER. Whether I know them or not.

Mr. TAVENNER. That means what you say, you decline to discuss anybody?

Mr. CALLENDER. Anybody, Mr. Chairman, that you may ask about.

Mr. TAVENNER. Or do you mean anybody who was in the Communist Party?

Mr. CALLENDER. I repeat, anybody that you may ask about.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. CALLENDER. I decline to answer for the same reason.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. No questions.

Mr. JACKSON. The witness is excused and released from subpoena.

Mr. TAVENNER. Mr. La Verne Lym.

Mr. JACKSON. Call him again.

Mr. TAVENNER. Mr. La Verne Lym, L-y-m.

I am reasonably certain, Mr. Chairman, that I have agreed with counsel as a matter of convenience that witness be called tomorrow instead of today.

Mr. JACKSON. Very well, call your next witness.

Mr. TAVENNER. Mr. Nathan Zahalsky.

Mr. ESTERMAN. May the record show the same request about television and radio and the lights, Mr. Chairman, most respectfully?

Mr. JACKSON. The same ruling will be made as in the case of the other witnesses. The light will be turned out and the camera will refrain from photographing the witness during the course of his testimony.

Please raise your right hand and be sworn, sir.

Do you solemnly swear in the testimony you are about to give before the subcommittee, you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. ZAHALSKY. I do.

Mr. TAVENNER. What is your name, please sir?

TESTIMONY OF NATHAN ZAHALSKY, ACCOMPANIED BY HIS COUNSEL, WILLIAM B. ESTERMAN

Mr. ZAHALSKY. Nathan Zahalsky.

Mr. TAVENNER. Are you accompanied by counsel, Mr. Zahalsky?

Mr. ZAHALSKY. I am, sir.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. ESTERMAN. William B. Esterman, Los Angeles, Calif.

Mr. TAVENNER. When and where were you born, Mr. Zahalsky?

Mr. ZAHALSKY. I was born January 10, 1904, in Russia.

Mr. TAVENNER. What day?

Mr. ZAHALSKY. January 10, 1904.

Mr. TAVENNER. 1904. Will you speak up a little; please, sir. And what was the place of your birth?

Mr. ZAHALSKY. I don't remember even how to spell it. B-r-a-d-e-n.

Mr. TAVENNER. When did you come to this country?

Mr. ZAHALSKY. 1926.

Mr. TAVENNER. Are you a naturalized American citizen?

Mr. ZAHALSKY. Yes, sir.

Mr. TAVENNER. When and where were you naturalized?

Mr. ZAHALSKY. Florence, Ariz.

Mr. TAVENNER. When did you move to the State of California?

Mr. ZAHALSKY. 1942.

Mr. TAVENNER. Have you lived here continuously since that time?

Mr. ZAHALSKY. That is right, sir.

Mr. TAVENNER. Where have you lived in California?

Mr. ZAHALSKY. In San Diego.

Mr. TAVENNER. In San Diego?

Mr. ZAHALSKY. All the way through, yes.

Mr. TAVENNER. You have lived in San Diego continuously since 1942?

Mr. ZAHALSKY. That is right.

Mr. TAVENNER. What is your profession or occupation, Mr. Zahalsky?

Mr. ZAHALSKY. I have a men's store.

Mr. TAVENNER. Mr. Zahalsky, the committee has information indicating that you can be of some assistance to it in helping it to ascertain the facts regarding the existence of a professional group or cell of the Communist Party in San Diego. Will you tell the committee, please, whether or not you know that there was such a group in San Diego?

Mr. ZAHALSKY. Have you finished the question? Is the question finished now?

Mr. TAVENNER. Yes, sir.

(At this point Mr. Zahalsky conferred with Mr. Esterman.)

Mr. ZAHALSKY. I will not answer this question for the following reasons:

First, that this invades my constitutional privilege under the first amendment of the Constitution.

Second, that this is an attempt to violate my rights under the fourth amendment.

Third, it is a violation of my rights to remain silent if I choose and—

(Mr. Zahalsky here put on his glasses.)

May I restate the third one?

Third, it is a violation of my right to remain silent if I choose, and you are forbidden under article V of the Bill of Rights to tell me to be a witness against myself.

Fourth, this proceeding violates my rights to due process under article V of the Bill of Rights.

Fifth, you have no right to ask me this question, because you are not a court or are not judges, and I am not on trial.

Finally, I remind you that silence does not mean guilt, and it is unlawful to draw such conclusions.

Mr. TAVENNER. In other words, you will not tell the committee any facts within your knowledge regarding a Communist Party cell or

group known as the professional group in San Diego? I understand you refuse to answer?

Mr. ZAHALSKY. Is that another question?

Mr. TAVENNER. Yes.

Mr. ZAHALSKY. Same question, same answer.

Mr. TAVENNER. Were you a member of that professional group of the Communist Party?

Mr. ZAHALSKY. Same question, same answer.

Mr. TAVENNER. We can't hear you.

Mr. ZAHALSKY. Same question, same answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. ZAHALSKY. Same question, same answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. I have no questions.

Mr. JACKSON. The witness is excused from further attendance under his subpoena.

Call your next one.

Mr. TAVENNER. Mr. John Lang, will you come forward, please?

Mr. JACKSON. Will you raise your right hand, sir?

Do you solemnly swear in the testimony you are about to give before this subcommittee, you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. LANG. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF JOHN LANG

Mr. LANG. John Lang.

Mr. TAVENNER. Mr. Lang, it is the practice of the committee to explain to each witness that he has the right to consult counsel at any time he desires during the course of the witness' testimony. Do you desire counsel?

Mr. LANG. No, sir.

Mr. TAVENNER. When and where were you born?

Mr. LANG. In Chicago, Ill., in 1914.

Mr. TAVENNER. Do you now reside in San Diego?

Mr. LANG. Yes, sir.

Mr. TAVENNER. How long have you resided in San Diego?

Mr. LANG. Since 1921.

Mr. TAVENNER. What has been your educational training?

Mr. LANG. About 2 years of high school.

Mr. TAVENNER. Mr. Lang, the committee desires to understand as fully as it can how the Communist Party has functioned in this area in the various projects which it has undertaken, and particularly in the field of labor. Have you had any opportunity to see the manner in which the Communist Party has functioned in the field of labor?

Mr. LANG. I have some small knowledge regarding that.

Mr. TAVENNER. Will you speak a little louder? You say you have some small knowledge of that?

Mr. LANG. Yes, sir.

Mr. TAVENNER. Well, did you acquire it through experience in the Communist Party yourself?

Mr. LANG. Yes, sir.

Mr. TAVENNER. When did you join the Communist Party?

Mr. LANG. In the fall of 1943.

Mr. TAVENNER. How long did you remain a Communist Party member?

Mr. LANG. Until about the middle of 1946.

Mr. TAVENNER. I want to ask you both the circumstances under which you entered the party and under which you left, but for the present will you just tell us the circumstances under which you became a member of the party?

Mr. LANG. I had just been recently elected an officer of my union and I was sought out for membership by certain Communists who were members of my union.

Mr. TAVENNER. Yes. What was that union?

Mr. LANG. The painters' union.

Mr. TAVENNER. The painters' union. You are a painter by profession or trade?

Mr. LANG. Yes, sir.

Mr. TAVENNER. And you acquired a position of leadership in your union?

Mr. LANG. Yes, sir.

Mr. TAVENNER. And then your joining the Communist Party was sought by the Communists?

Mr. LANG. That is correct.

Mr. TAVENNER. What position did you hold in the union at that time?

Mr. LANG. At that election I was elected vice president and a delegate to the Central Labor Council, a delegate to the joint committee between the painters and the contractors association, and a member of the executive board of the local union, as I remember.

Mr. TAVENNER. How long was it after you were elected to those positions that you began to receive attention from the Communist Party?

Mr. LANG. Very shortly.

Mr. TAVENNER. Who were the Communist Party members who began showing you attention?

Mr. LANG. The business agent of our union, Mr. Buchanan.

Mr. TAVENNER. What was the first name?

Mr. LANG. David.

Mr. TAVENNER. David Buchanan. He was the business agent of your local?

Mr. LANG. That is correct.

Mr. TAVENNER. Was he publicly known at that time as a member of the Communist Party?

Mr. LANG. No, sir.

Mr. TAVENNER. Did the rank and file membership of your painters' union know that they had elected to that position a member of the Communist Party?

Mr. LANG. No, they did not.

Mr. TAVENNER. Well, tell us what occurred when Mr. Buchanan came to see you. How did he approach you?

Mr. LANG. Well, actually my approach to the Communist Party did not come from Mr. Buchanan, but through other members within our organization.

Mr. TAVENNER. Tell the committee just how it occurred.

Mr. LANG. Specifically the one who approved me on the question was Claude Laxon.

Mr. TAVENNER. Claude Laxon?

Mr. LANG. Yes, sir.

Mr. TAVENNER. Did he hold any official position in your local at that time?

Mr. LANG. I believe not at that time, no.

Mr. TAVENNER. Did any others approach you on the subject of becoming a member of the party?

Mr. LANG. I would like to put it this way, that none of those members actually at any time ever asked me to join the Communist Party, to the best of my knowledge.

Mr. TAVENNER. Well, how was the matter approached?

Mr. LANG. In a rather indirect way. Laxon approached me one time as we were having a little chat and asked me if I had a half a dollar, which I handed to him without asking the reason for it. So he said, "You are now a member of the Communist Party."

Mr. TAVENNER. That quickly?

Mr. LANG. Just like that. So, of course, it seemed like a gag to me at the time, and so I thought, well, I will go along with the gag, and within a few days, why, I found that it wasn't a gag.

Mr. TAVENNER. I assume you thought a number of times about that and wished it was a gag, haven't you?

Mr. LANG. You are very right, sir.

Mr. TAVENNER. All right.

Mr. LANG. However, even after I found that it was actually true, that this was the Communist Party, I suppose my curiosity was aroused to a certain extent. I mean, I had heard some little things about the Communist Party, and this seemed like a firsthand way to find out more about it, and I reasoned with myself that anything so easy to get into should be equally as easy to get out.

Mr. TAVENNER. Did you find that to be true?

Mr. LANG. In some respects, yes. At any rate, as far as the party is concerned, when I dropped my membership in 1946 I haven't until the present day been contacted again by the Communist Party.

Mr. TAVENNER. Will you tell the committee about the first Communist Party meeting that you attended?

Mr. LANG. As I recall, it was just an informal gathering at my own home, and it was conducted by one Matt Vidaver, who at that time was the party organizer for San Diego, and was attended, as I remember, by Laxon and his wife and Harry Shermis and his wife.

Mr. TAVENNER. Harry Shermis?

Mr. LANG. Yes.

Mr. TAVENNER. How do you spell the last name?

Mr. LANG. S-h-e-r-m-i-s.

Mr. TAVENNER. All right. Any others that you can now recall?

Mr. LANG. I believe that that was all, to the best of my knowledge. It was a very informal gathering, just, you might say, a get-acquainted type of thing. At this particular meeting Mr. Vidaver, who was the party organizer, attempted to express some views, general views concerning the workings of the Communist Party, and what it stood for, and its attempts to achieve, and so forth, and all of his reasoning at that time seemed quite reasonable as far as I was concerned.

Mr. TAVENNER. Well, as you progressed in the work of the Communist Party, will you tell what seemed to be its principal objectives, as far as they related to you?

Mr. LANG. Well, so far as they concerned me directly, the principal objective seemed to be to carry on my work within my trade union and with other bodies of that nature that I was affiliated with, and to do everything possible toward bringing about the successful termination of the war that the country was engaged in at that time.

Mr. TAVENNER. How many members of your group of the Communist Party were members of your local union?

Mr. LANG. To the best of my knowledge, there were 6.

Mr. TAVENNER. Who were they?

Mr. LANG. David Buchanan, myself, Oliver Hagen, Harry Shermis, Claude Laxon, and Hal Hoyt.

Mr. TAVENNER. Will you give us that name again?

Mr. LANG. Hal Hoyt.

Mr. TAVENNER. H-o-y-t?

Mr. LANG. I believe that is the spelling. H-a-l.

Mr. TAVENNER. And in what way did this group endeavor to work within your local union?

Mr. LANG. Well, on a number of occasions resolutions were introduced into our local union by certain elements within our union that sought to bring about a stoppage of work on our defense jobs in the area, and that was one of our major concerns at that time, and we all on many occasions took the floor on that, on an argument opposing such actions.

Mr. TAVENNER. Did your group of the Communist Party endeavor to hold meetings ahead of important meetings of your local to determine what course of action your local should take?

Mr. LANG. Quite frequently.

Mr. TAVENNER. Did your whole group of the Communist Party endeavor to decide who the officers were to be in your local?

Mr. LANG. They sought to decide that. That is, inasmuch as they sought the nominations and the elections, and I should say they hoped for the election of said people.

Mr. TAVENNER. Was there anything that happened to indicate that the rank and file of your local union was actually anti-Communist and was opposed to communism?

Mr. LANG. Yes. There was a good deal of discussion on the floor of our local union along those lines, and an anti-Communist feeling was expressed on many occasions there. Furthermore, there is a clause in the Constitution of the Brotherhood of Painters and Decorators which forbids membership in the Communist Party.

Mr. TAVENNER. You said that Dave Buchanan was the business agent of your local.

Mr. LANG. That is true.

Mr. TAVENNER. You have also said that it was not known that he was a member of the Communist Party but at a later time did it become publicly known that Dave Buchanan was a Communist?

Mr. LANG. Yes, sir; through his own admission.

Mr. TAVENNER. How did that happen?

Mr. LANG. They had sought about expelling him from the union on suspicion of being a member of the Communist Party, and he

publicly announced that he was a member of the Communist Party at that time and was proud of it. So that expedited his expulsion.

Mr. TAVENNER. Your local then took action to expell him?

Mr. LANG. That is correct.

Mr. TAVENNER. Was there any particular program of the Communist Party that you can recall now that the Communist Party attempted to project into your local?

Mr. LANG. The Communist Party attempted on several occasions to introduce resolutions favoring different things that the party was interested in at that time. For one thing, the establishment of a second front in the European theater of war. They were very much interested in bringing about a change in the A. F. of L. national policy to the effect that they would recognize the World Federation of Trade Unions, and the painters' union did adopt such a resolution, and it was sent in turn, if I remember correctly, to the Central Labor Council, which I think turned the proposition down.

Mr. TAVENNER. Now, that is a very important matter in the field of labor. Are you familiar with the position that the American Federation of Labor took in regard to the World Federation of Trade Unions?

Mr. LANG. I think that I am familiar with their general arguments against affiliation with the World Federation of Trade Unions, which was basically because Communist delegates who were representatives at that World Federation of Labor, and they objected to sitting down at the council table with members of the Communist Party from whatever country they might be.

Mr. TAVENNER. Mr. Chairman, I doubt if any witness has explained to the committee the importance of that more fully than the witness Patrick Walsh, a Canadian seaman, who testified in Albany, N. Y., before this committee in July of 1953, and the record of his testimony appearing in that hearing should probably be read along with the testimony of this witness.

Mr. JACKSON. Very well.

Mr. TAVENNER. Mr. Walsh stated, if you will permit me to read just a little of it:

The American Federation of Labor knew from the very start that the World Federation of Trade Unions was bound to be an out-and-out Communist organization because of the fact that in this new federation of trade unions the Russians would have a numerical superiority and the A. F. of L. knew, for example, that in Russia the trade unions are not bona fide trade unions. Trade-union officials in Russia are appointed by the Government and not by the membership, and one of the basic principles on which trade unions are founded, the right to strike, is denied to workers in the Soviet Union, and that is why the American Federation of Labor refused to join the World Federation of Trade Unions.

Now, notwithstanding the national organization of the American Federation of Labor refused to join into the World Federation of Trade Unions, I understand from you that your Communist group was interested in getting your local on the lowest level in the American Federation of Labor to sponsor such a project.

Mr. LANG. That is correct.

Mr. TAVENNER. Will you tell us a little more in detail how they endeavor to influence the action of the national organization by their work in a local such as your local?

Mr. LANG. I am not quite sure I understand the question.

Mr. TAVENNER. Yes. I haven't stated the question plainly.

I want to know just how the Communist Party endeavored to influence, or what they tried to do in your local to try to bring about action by the American Federation of Labor national organization which would join this Communist international organization.

Mr. LANG. I am not positive exactly how this issue was raised in our own particular local union. However, the method that was being used was that local unions who had any Communist membership would all endeavor to introduce a similar resolution, and if it could pass these different local unions, it would, in turn, go to the higher bodies, which, in turn, might have forced the issue and brought about a reversal of the American Federation of Labor's stand regarding the World Federation of Trade Unions.

Mr. TAVENNER. I think I should add at this point that although the CIO did join this World Federation of Trade Unions, they soon found out the character of it and withdrew from it. It is very interesting to find that even here in a small painters' union the Communist Party was attempting to set the program and the pattern for forcing the national organization into that Communist group.

Did you have any experience in the Communist Party outside of your work within the painters' union?

Mr. LANG. Very little. I attended a scattered few meetings at other places that included others than painters, but they were very few, and I am not familiar with their operations and what problems they were working on specifically.

Mr. TAVENNER. How many members were there in your painters' union, I mean, how many members of the local were there at the time of the activities you have described?

Mr. LANG. Offhand I would say between a thousand and twelve hundred.

Mr. TAVENNER. How many Communists, to your knowledge, were members of the painters' union then?

Mr. LANG. During the first part, or, I will say, the first half of 1944, there were 6.

Mr. TAVENNER. What offices did they succeed in capturing in your local?

Mr. LANG. Just the office of vice president and the position of business agent, which is not an office in our local union, although you are elected to that position. And aside from membership on the executive board and various small committees, that was the extent of Communist participation insofar as officers were concerned.

Mr. TAVENNER. Are you still a member of that union?

Mr. LANG. Yes, sir.

Mr. TAVENNER. Do you know of any Communist Party membership in the union today?

Mr. LANG. I think not. I would be willing to bet that there isn't a single one in there.

Mr. TAVENNER. Will you tell the committee how it would be possible for 6 members of the Communist Party in a membership of a thousand or more persons to influence the action of the union in anything, the election of officers, or passage of resolutions or any other matters?

Mr. LANG. The only explanation that I could possibly give for a thing like that would be the lethargy on the part of the other members of that particular union.

Mr. TAVENNER. Well, what was there to indicate lethargy on their part?

Mr. LANG. The majority of them would rather go over to the corner bar and have a beer and do their discussing there.

Mr. TAVENNER. Than to attend meetings?

Mr. LANG. Yes, sir.

Mr. TAVENNER. What about the Communist Party members, did they go to the bar or attend to their business?

Mr. LANG. They found other times to go to the bar.

Mr. TAVENNER. What generally was the number in attendance that decided on the matters that you had reference to?

Mr. LANG. Oh, quite frequently things that we would consider of rather great importance would be decided on by possibly some hundred or one hundred and twenty-five who were present.

Mr. JACKSON. Isn't it also true that the Communists in the union had a predetermined course of action, they knew where they were going, they knew how they were going to handle the debate on the floor, they knew who was going to speak and that this proves the power of an organized minority approach as against a disorganized majority of the union members?

Mr. LANG. That is true.

Mr. JACKSON. That has been demonstrated time and time and time again in testimony before this committee, and I think it is a matter that cannot be stressed too greatly. A very small number of people who know where they are going can take over a disproportionate number of posts of authority within an organization and due largely, as the witness said, to the apathy of the bulk of the membership of such an organization, completely control and dominate the group's actions.

Proceed, Mr. Counsel.

Mr. TAVENNER. Did you run for any offices other than that of vice president of the union?

Mr. LANG. I held the office of recording secretary the 2 consecutive years after the year I held the vice presidency.

Mr. TAVENNER. And during that period of time was it known to the rank and file membership of your group that you had become a member of the Communist Party?

Mr. LANG. No, it wasn't.

Mr. TAVENNER. Approximately what was your majority when you ran for election on those occasions?

Mr. LANG. I think that I polled a majority of possibly a third, a little better than a third over my opponent.

Mr. TAVENNER. That was when it was not known that you were a member of the Communist Party?

Mr. LANG. That is true.

Mr. JACKSON. Could you have been elected to any of those offices had the membership known you were a member of the Communist Party?

Mr. LANG. No sir, I could not.

Mr. TAVENNER. Well, did you have an occasion that rather proved that a little later?

Mr. LANG. I am not sure that I understand the question.

Mr. TAVENNER. Did you run for an office at a later date in which you were embarrassed as a result of the position taken by some of your Communist Party friends which affected your election?

Mr. LANG. I hardly would go so far as to say that it had any direct effect on my election, or, rather, the fact that I wasn't again elected, didn't gain the election, for the simple reason that my opponent for that office has held that office continuously since 1942, if I am not mistaken, and still holds it today, and I polled one-third of the votes at that particular election, and I think that has been probably the highest score against him in the race of that kind for that office. However, there was an incident, an unfortunate incident that did play a role to a certain extent, I will never know to what extent, and that was that a letter purportedly written by Dave Buchanan was read on the floor of the local union. Actually it had been written by his wife, and it recommended me as a candidate for the office and sought to run down the brother that held the office, and there is no question but that influenced the voting to a certain extent.

Mr. TAVENNER. It certainly served to identify you with the Communist Party if it was attributed to Dave Buchanan, did it not?

Mr. LANG. Well, Dave Buchanan was not a known Communist at that particular time.

Mr. TAVENNER. At that time. I see. How would you describe the efforts of the Communist Party group within your union as to success or failure?

Mr. LANG. Do you mean back during that period between 1943 and 1946?

Mr. TAVENNER. Yes.

Mr. LANG. I think there was a lot of weakness there, although they did succeed in introducing certain resolutions and endorsing certain resolutions. I think that they failed on most of the major things. However, at that particular time that I was engaged with the Communist Party, the major part of our work was directed toward trying to keep down strikes, and a member of our union, who as I understood at the time was under expulsion from the Communist Party, was labor chairman of the blood bank for San Diego. That took in the entire, all labor, that is, A. F. of L. labor in San Diego. I myself on the Central Labor Council was cochairman of a war bond and war savings stamp bunch, and so from that point of view I would say we did contribute quite a bit.

Mr. TAVENNER. Were you a member of the same group of the Communist Party during your entire Communist Party membership, or were you transferred to another group?

Mr. LANG. I was with what could be described as the industrial group or the labor group during nearly all of my participation or the time that I was in the party, and it was only until, I believe, sometime in 1945, late in 1945, that I was assigned to the South Bay Club. They were starting an organization there and they informed me that they were, and by reason of the fact that I lived close there I was assigned to that group.

Mr. TAVENNER. Who assigned you to it?

Mr. LANG. I believe, if I am not mistaken, that it was Morgan Hull, who was the organizer at that time. However, I could be wrong.

Mr. TAVENNER. Will you give us the names of the members of the South Bay cell group?

Mr. LANG. Well, inasmuch as I attended only some very few meetings there, I can give you those who did attend at those meetings, but whether that was a complete list or not, I couldn't say.

There was Agnes Adams, Melita O'Brien, and Mrs. Acanfora.

Mr. TAVENNER. A-c-a-n-f-o-r-a?

Mr. LANG. I wrote the name once, I remember very well, but I don't remember how I spelled it.

Mr. TAVENNER. Do you recall the first name?

Mr. LANG. Ella, E-l-l-a.

There was also Mr. and Mrs. Dugdale, Bert Dugdale.

Mr. TAVENNER. Do you recall the wife's name?

Mr. LANG. Helen, I believe it was. And I believe that is all.

Mr. DOYLE. At this point the record ought to show whether or not these meetings were restricted to Communist Party members, or whether they were semipublic. Were any outsiders there who were not members of the Communist Party, to your personal knowledge?

Mr. LANG. From time to time there were outsiders there, but these meetings that I am referring to are meetings in which I knew those present were members of the Communist Party.

Mr. JACKSON. They were closed meetings, the ones you have reference to?

Mr. LANG. Yes, sir.

Mr. TAVENNER. How long did you remain a member of the Communist Party after being assigned to this second group?

Mr. LANG. I was inactive, so far as that group was concerned, on the grounds that I had more pressing work within my own labor union, and, therefore, I wasn't required to attend except as I saw fit, or whenever I was clear to do so, and when I left the party, it was in about July of 1946, as near as I can remember.

Mr. TAVENNER. And what?

Mr. LANG. I just want to say that at that time Ella Acanfora was the chairman of that particular group, chairman or dues collector. I don't know what they call it, but, at any rate, she had something to do with sending out notices, and so forth, as to when meetings were going to be held, and so forth, and she about that time had pressed me several times about my not attending those meetings, and as we hold our elections in June in the painters' union, and I was defeated after that, in June, that is the reason I established the time that it must have been about that particular time. Apparently they recognized that, then I was without a job, and there was no reason why I shouldn't be put to work someplace else. However, I am only assuming that, but the pressure was being put on me to attend meetings, and it was at that time that I realized that I had to make a break once and for all, so I addressed a letter to Mrs. Acanfora in which I resigned from the Communist Party.

Mr. TAVENNER. Did you receive a reply of any character?

Mr. LANG. No; I didn't.

Mr. TAVENNER. Was any effort made at a later date to get you to return to the Communist Party?

Mr. LANG. No serious effort. However, different people that I knew to be Communists approached me from time to time and said, "Oh, you will come along; you will get over this and come along back." But that was the extent of their pressuring me to come back into the party.

Mr. TAVENNER. Well, what was the real reason that you left the Communist Party?

Mr. LANG. Well, because after the Duclos letter came out I saw a very drastic change in the activities in the general direction of the Communist Party, and I just couldn't go along with that. It made me realize what a mistake I had made, and I was ready to break with the party.

Mr. TAVENNER. What was this difference in direction that you referred to which brought you to the conclusion that you wanted no part of it, and that you realized that you had made a mistake?

Mr. LANG. Well, during the time of my membership we were under the president, Earl Browder, who was the secretary of the Communist Party, and Browder had ideas of cooperation and collaboration between progressive elements of all businesses, along with the working people, for the benefit of everybody, and it was a very good program, sounded fine, but Duclos in denouncing that, upset the applecart as far as I was concerned, and I am sure a lot of other people must have felt the same way.

Within, I would say, a week, after that letter was received, the Communist Party cells had membership meetings everywhere throughout the country in which that letter was discussed, and I imagine in a majority of the cases the letter was accepted as being correct because Mr. Browder is no longer the head of the Communist Party.

Mr. TAVENNER. Did you voluntarily report any knowledge that you acquired from your Communist Party activities to any Government agency?

Mr. LANG. I have given the Federal Bureau of Investigation as nearly as full as possible a description of my activities during that period.

Mr. TAVENNER. And, of course, you have severed your connections fully and completely with the Communist Party?

Mr. LANG. Yes, sir.

Mr. TAVENNER. Mr. Chairman, I think that is all I desire to ask the witness.

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. The Duclos letter that you referred to, do you have the approximate year when that came to your attention? Wasn't it in May or June 1945?

Mr. LANG. I believe so, sir.

Mr. DOYLE. Why would the constitution of the Brotherhood of Painters and Decorators forbid membership in the Communist Party to any member of that union?

Mr. LANG. The A. F. of L. has always objected to Communists in its membership, and I believe that is the position of the entire A. F. of L., and our union, just being a part of the big brotherhood, that, of course, was in our constitution.

Mr. DOYLE. I know, but you knew that was in the constitution and yet you joined the Communist Party.

Mr. LANG. There were quite a few things about the constitution of our brotherhood I didn't know at that time. I was actually a new member of the union myself, having been initiated in 1941.

Mr. DOYLE. I was wondering why you, being an officer of the union at the time you joined the Communist Party, did it.

Mr. JACKSON. I assume that the fact that a union constitution stated that no Communists could belong to the union would not in any way

alter the determination of a Communist to get in if he possibly could. Is that the case?

Mr. LANG. That is true.

Mr. JACKSON. It might only spur him on to greater efforts in attempting to attain membership in the union.

Mr. DOYLE. But this gentleman went in on a 50-cent gag, and when he found it wasn't a gag he stayed there.

Mr. LANG. There is one reason why my membership extended over that long period of time, and that was because apparently the Communist Party members had a sort of a hands-off policy so far as I was concerned, and I was never subjected to the same discipline that I am sure most of the Communist members have been.

Mr. DOYLE. I am sure I want to express my appreciation to you for being vigorous and vigilant against the Communist conspiracy after you had your eyes open. I said to another witness the same thing a few hours ago, and I want to say it to you; I think it behooves a young man who has been hoodwinked to go into the Communist Party when you have your eyelids lifted, get out of it, and be vigorous and vigilant against it. It is not enough, as I see it, sir, for you men who have been active in the conspiracy to merely withdraw and coast along in one of the other political parties. I think it is up to you to contribute back to your Nation, if you can, something toward strengthening your Nation, which you weakened while you were a member of the Communist Party.

I hope my remark as to why you went into it while you were a member of this union in violation of your own constitution isn't too personal, and yet I mean it very definitely, that I am shocked that you members of the A. F. of L. are sometimes hoodwinked enough to do that thing.

When I say that, Mr. Chairman, I do not criticize, as you know, the two great patriotic branches of organized labor in our Nation. I respect very much their fight against the Communist conspiracy.

That is all.

Mr. JACKSON. Thank you, Mr. Doyle.

I am sorry that what I have to say will not be carried to every corner of San Diego and the surrounding territory, because it represents a very serious situation and one which I think is reprehensible.

A witness who appeared on yesterday, Mr. Berman, and who will be recalled as a witness who, at the behest of the Federal Bureau of Investigation, went into the Communist Party to make regular reports to the United States Government on the activities of the Communist Party was, following his appearance here on yesterday, dismissed from his employment. Nothing can more surely handicap the work of this and other committees investigating the Communist conspiracy than this type of reprisal against those who come forward to give the committee, the Congress, and the American people the benefit of their personal knowledge of activities within the Communist Party.

The former Communist who has lived through the emotional and psychological ordeal of membership in the conspiracy and who testifies fully and in a manner marked by a quality of trustworthiness renders signal service to his country. To deny him rehabilitation and an opportunity to readjust himself politically, socially, and economically, is to render more reluctant others who might be moved to testify in the same manner.

Mr. Berman, as I said, entered the Communist Party not out of any personal wish to associate with conspirators, but at the behest of the Federal Bureau of Investigation. The reprisal against him is made more reprehensible by virtue of this fact: For his voluntary service to his Nation he is now made the victim of severe reprisals.

The committee deplores the action of Mr. Berman's employers,¹ and of those whose actions in this regard do more to cripple the work of this and others than could any frontal assault by the Communist Party itself.

The committee can well understand reluctance on the part of an employer to hire members of the Communist Party or those whose status is not perfectly clear as to their loyalty, but to summarily discharge an employee whose only sin is cooperation with the United States Government is an action which will certainly meet with widespread and understandable public criticism.

The committee today reiterates its thanks of yesterday to Mr. Berman, and again emphasizes the service he has rendered to his country, and for such a **poor return**.

Mr. DOYLE. I hope, Mr. Chairman, that tomorrow morning when we are on the air, which I understand we are not now, that you will read that statement again to the radio audience, so they may hear it.

Mr. JACKSON. It is the intention of the Chair to again repeat this statement tomorrow. In the interim the committee would like to express its thanks to you, sir, for your cooperation, and to express a personal observation that your union has quite obviously done a splendid job of ridding itself of Communist influence. The same would appear to be generally true on the basis of the evidence received at this time with respect to the entire San Diego area, and the committee does express its thanks to you for your cooperation and your help and you are excused from further attendance under the subpoena. [Applause.]

The Chair must again caution the audience against demonstrations in the hearing room.

Do you have another witness?

Mr. TAVENNER. Yes, sir. Mr. Oliver Hagan.

TESTIMONY OF OLIVER HAGAN

Mr. JACKSON. Will you raise your right hand, please?

Do you solemnly swear in the testimony you are about to give before this subcommittee, you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HAGAN. I do.

Mr. TAVENNER. You are Mr. Oliver Hagan?

Mr. HAGAN. That is right.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. HAGAN. No, I am not, sir.

Mr. TAVENNER. Do you desire counsel?

Mr. HAGAN. I do not.

Mr. TAVENNER. Mr. Hagan, because of the lateness of the hour I am not going to extend my examination of you, but I do want to inquire

¹ Mr. Berman was subsequently reemployed and promoted. It is felt by the committee that a misunderstanding of the nature of his testimony resulted in an unfortunate and hasty decision on the part of his employers.

into just 1 or 2 matters which I think would be helpful to the committee.

First of all, let me ask you, what is your trade or occupation?

Mr. HAGAN. At the present time I am a painting contractor and general building contractor.

Mr. TAVENNER. Were you a member of a local painters' union?

Mr. HAGAN. Yes, I was.

Mr. TAVENNER. Were you a member of the same union of which Mr. Lang was a member?

Mr. HAGAN. Yes, I was.

Mr. TAVENNER. When and where were you born?

Mr. HAGAN. I was born in Lees Summit, Mo., 1922.

Mr. TAVENNER. When did you come to San Diego?

Mr. HAGAN. 1936.

Mr. TAVENNER. Were you a member of the Communist Party at any time?

Mr. HAGAN. Yes, I have been in the past.

Mr. TAVENNER. When did you join and when did you leave the party, if that is true?

Mr. HAGAN. I believe it was some time in 1943, to the best of my memory.

Mr. TAVENNER. And when did you leave the Communist Party?

Mr. HAGAN. I left the party in the first part of 1948.

Mr. TAVENNER. You heard the testimony of Mr. John Lang, did you not?

Mr. HAGAN. Yes, I did.

Mr. TAVENNER. Was your experience in the Communist Party quite similar to his?

Mr. HAGAN. Yes, it was quite similar. As a matter of fact, I was a member of the painters' union from 1943 until 1944, at the same time that he was, at which time I dropped out of the union to go into business for myself.

Mr. TAVENNER. Will you speak a little louder, please?

Mr. HAGAN. Surely.

Mr. TAVENNER. Mr. Lang near the end of his testimony referred to the fact that he had not received the discipline within the Communist Party that he understood some persons to have received.

Mr. HAGAN. Well, I would say in answer to that, according to my experience there was little or no discipline at that period of time, particularly in the groups in which I was active.

Mr. TAVENNER. Do you recall whether or not there was a factional dispute within the Communist Party which did call for some rather drastic action being taken?

Mr. HAGAN. In 1948 there was a factional dispute of a nature which ended in quite a bit of disruption within the party, causing it to fly pretty well in all directions.

Mr. TAVENNER. Were you involved in that matter?

Mr. HAGAN. I was involved to the degree that the club to which I belonged at that time was suspended after having made certain criticisms prior to a county convention.

Mr. TAVENNER. You mean your club was suspended for criticizing the action of the Communist Party?

Mr. HAGAN. The criticism was partially a criticism of policy, as it was applied locally, and partly a criticism of leadership because of

their own personal conduct as leaders, and their attitude toward membership.

Mr. TAVENNER. I believe I will ask you to describe that whole matter to the committee and just what occurred, from the beginning to the conclusion of it.

Mr. HAGAN. Well, it was a general practice at that time, prior to a county convention, for clubs to engage in what is known as pre-convention discussion.

This discussion is to cover both past activities and policies and newly proposed policies and activities of the future.

The criticism in this particular club, and I understand in at least one other, was quite severe toward the undemocratic actions and policies of leadership toward the rank and file, and criticism was not accepted at all on the part of the leadership. As a matter of fact, prior to the county convention the clubs involved were expelled and the county convention was held without the knowledge of the expelled group, with the exception of a few people within the group who were associated with the county organization.

Mr. TAVENNER. Let's go back a little. Did your group hold a pre-convention meeting and elect delegates to the county—was it the county or State convention?

Mr. HAGAN. County.

Mr. TAVENNER. To the county convention?

Mr. HAGAN. Yes, prediscussion conventions were held and delegates were elected.

Mr. TAVENNER. And delegates were elected?

Mr. HAGAN. That is true.

Mr. TAVENNER. I want by your testimony to demonstrate the so-called democratic principles of the procedure of the Communist Party. You elected your delegates?

Mr. HAGAN. That is true.

Mr. TAVENNER. What happened to those delegates after they were elected?

Mr. HAGAN. These delegates were not recognized as legitimate delegates to the convention, and the members of the club who were expected to be, and normally would have been, elected as delegates attended the county convention ultimately.

Mr. TAVENNER. In other words, when your group took action in the nature of a criticism of the conduct of the Communist Party affairs by electing your delegates to the convention to discuss those matters, they were not seated as delegates?

Mr. HAGAN. No, they were not. As a matter of fact, the club was suspended as a result of that.

Mr. TAVENNER. Tell the committee who engineered that. Who was it that brought about such a drastic procedure?

Mr. HAGAN. Well, at the time the county organizer of the Communist Party was Bernadette Doyle, and perhaps I should bring up some background.

Mr. TAVENNER. Yes.

Mr. HAGAN. As I said, it was my experience there was very little discipline and the Communist Party was very much of an open affair, to my experience anyway, and in San Diego discipline had never been successfully applied even after the Duclos article and the changing of Communist Party policy as regards to Browder's program.

So with the coming of Bernadette Doyle discipline was to be invoked, and I suppose you might say the party brought up to standard, and there was no doubt there was much to criticize in the methods that were used, and more or less a dictatorial attitude on the part of functionaries in their relations with the rank and file, with very little explanation of why this or that was to be.

I mean, it was more or less "this is the way it shall be," and ask no questions. And this was not to the liking or to the way things normally are conducted in a democratic organization which claimed to have democratic procedure, and in its constitution at the time it made certain democratic guaranties toward the membership which at this time was completely ignored.

So in the preconvention discussion and criticism of things that we felt were wrong, and in suggestions that were brought up to be presented, it was felt that the leadership came under considerable criticism itself, and it was my opinion that they were unable to accept that criticism of the rank-and-file, and, therefore, the clubs were suspended and the people they had expected to be elected were not elected, which in itself, I suppose, constituted a revolt in their own minds on the part of the rank and file in these clubs.

Mr. TAVENNER. Did you play a part in that revolt?

Mr. HAGAN. At the beginning it was not playing a part, or it was not so much being conscious of it until the criticism itself was presented by different people, and then I became aware that this dissatisfaction existed, and I was quite agreeable to the criticism because my own experiences had been enough to tell me that they were legitimate criticism.

Mr. TAVENNER. Did you express your opinion?

Mr. HAGAN. Yes; I did.

Mr. TAVENNER. What was the result of the expression of opinion by you?

Mr. HAGAN. Well, I was accused of being antiparty.

Mr. TAVENNER. Were you brought up and tried by the Communist Party for it?

Mr. HAGAN. I was invited to attend a hearing, at which time there were present those who had been suspended.

Mr. TAVENNER. Were charges preferred against you?

Mr. HAGAN. Charges were made, charges that I had conducted anti-party activities, which at the time was totally ill founded.

Mr. TAVENNER. Your conduct had been confined to that of criticism arising out of the things you have just told the committee?

Mr. HAGAN. Criticism which was made provisions for in the constitution of the party at that time.

(At this point Mr. Doyle assumed the chair.)

Mr. TAVENNER. Quite apparently the Communist Party would not tolerate criticism.

Mr. HAGAN. I suppose there was a reason. Part of it was the egotism of the local functionaries and their inability to take criticism.

Mr. TAVENNER. What specific charges were presented against you?

Mr. HAGAN. I was charged with having attended meetings with a man named Harrison George, who at one time, I think, was an editor, or something of the People's World and later was expelled perhaps because he rebelled a bit himself, as I later learned. At the time I was not aware that he had been expelled or charges were made.

Mr. TAVENNER. So you were accused of association?

Mr. HAGAN. Yes.

Mr. TAVENNER. With Harrison George?

Mr. HAGAN. That is true.

Mr. TAVENNER. Guilty by association.

Mr. HAGAN. Yes; that is quite true. That is the way it worked.

Mr. DOYLE. Who did you say Harrison George was?

Mr. HAGAN. He at one time was an official on the People's World, and I later learned after these hearings that he had been expelled from the party for not writing something that he had been ordered to write which he felt he could not agree with.

Mr. TAVENNER. That is quite interesting, after hearing criticisms by the Communist Party against this committee, to find that they proceeded against you on the principle of guilt by association.

Mr. HAGAN. That is quite true; they did.

Mr. TAVENNER. Will you tell us of any other charge that they made against you?

Mr. HAGAN. Well, I was charged with reading a letter—a letter by Frances Franklin, which I think itself constituted a criticism of party policy. However, I had never seen the letter and had heard about it probably a day before these hearings.

Mr. TAVENNER. You were charged with having read it?

Mr. HAGAN. Having read it; yes; that is true.

Mr. TAVENNER. Who preferred that charge against you?

Mr. HAGAN. As I recall it was Nancy Resenfield, or Rosenfeld, who made that charge. She charged me with having read it and said that it was antiparty literature, and I asked her was she sure it was antiparty literature, and she said "yes," so I continued to ask her how she knew it was, and her reply was that she had been told it was very definitely.

Mr. TAVENNER. Would she admit having read it herself?

Mr. HAGAN. I asked her if she had read it. She said "No," she had not. I suppose it would have incriminated her if she had, so she didn't.

Mr. TAVENNER. Very well. Was there any other charge placed against you?

Mr. HAGAN. There was no other definite charge. There were general charges of antiparty activity, which at the time were totally untrue.

Mr. TAVENNER. What was the result of these charges as far as you were concerned?

Mr. HAGAN. As far as that was concerned, I was being treated very much the same as people who they condemned for the same actions, you might say.

Mr. TAVENNER. Well, were you suspended by the party?

Mr. HAGAN. The clubs were suspended the next day after the club delegates were elected, and at a later date, without my knowledge, the county convention was held and at that time, I understand by reading in the Union-Tribune that I was expelled from the Communist Party.

Mr. TAVENNER. Well, did you return to Communist Party meetings at any time after that?

Mr. HAGAN. No; I certainly did not.

Mr. TAVENNER. Is that the end of your Communist Party experience?

Mr. HAGAN. Yes; that is the end as far as I personally am concerned. I no longer had any connection with them, nor was I ever asked to rejoin.

Mr. TAVENNER. What was the date of that occurrence?

Mr. HAGAN. To the best of my memory, I would say it was approximately June 1948.

Mr. TAVENNER. Is there any other statement you desire to make regarding the severance of your connection with the Communist Party?

Mr. HAGAN. Well, I suppose that had there been discipline within the party that my severance would have been much earlier than it was. There were periods between 1943 and 1948 in which I was inactive, and my greatest period of activity was between probably somewhere between 1947 and 1948, and I was active for a short time in 1943 and 1944.

Mr. TAVENNER. To what extent was the Communist Party successful in your painters' union?

Mr. HAGAN. Well, I think that the previous witness, John Lang, did a very good and very accurate job of describing what went on at the time of his membership and at the time I was also a member of the union with him, and, of course, in 1947 and 1948 they were totally ineffective as far as making progress within the union was concerned.

Mr. TAVENNER. Mr. Chairman, I believe that is all I care to ask the witness.

Mr. DOYLE. May I ask you just a couple of questions.

You evidently became self-employed, a contractor in your own right.

Mr. HAGAN. That is quite true.

Mr. DOYLE. In 1946.

Mr. HAGAN. 1944.

Mr. DOYLE. 1944. Even when you became a contractor in your own right you stayed in the party until 1948. How do you explain that?

Mr. HAGAN. At that time staying in the party was something that was hard to put your finger on actually. My experience was that it was very loose. I did not attend hardly any meetings in that period of time, and I do not believe I paid dues more than a third of the time, and that was at that time when it was collected by someone who called on me.

Mr. DOYLE. But you just said you were inactive during a period of years and then became more active in 1947 and 1948.

Mr. HAGAN. In 1947 I returned to the union for a while. I took a job with a contractor, and it was a pretty good job, so I worked out of the local union for a period of about a year or perhaps less sometime in the middle of 1947 to the first part of 1948. At that time I was asked to become active in the building trade club of the Communist Party, and I did, to a degree.

Mr. DOYLE. What was there, after you had been in and been inactive to attract a type of man of your ability to go back in and become active even when you were a successful contractor in your own right? You were an employer, weren't you?

Mr. HAGAN. That is correct; I was.

Mr. DOYLE. Well what was there attractive in that in 1947 and 1948 to you to make you be more active than you had been before?

Mr. HAGAN. There was no attraction as far as communism itself was concerned. It was a program of the Communists within the union to have better working conditions and higher wages, and the causes in the main were honorable ones, you might say to the best of my knowledge anyway, and these people I had known before, and I more or less worked with them.

Mr. DOYLE. Have you been in any position since you were expelled to do anything to oppose the promulgation of the Communist Party principles?

Mr. HAGAN. No; I don't suppose that I have actually or actively opposed the Communist Party. In the past few years I have been quite busy making a living for myself and trying to establish myself as a businessman, and it has pretty well kept me occupied.

Mr. DOYLE. Well, of course, again you heard me speak to 2 or 3 of your young men, to urge you to do something to try to make up to your country and your community for the manifest weakness that a person had, make up to the Nation for when you were a member of the Communist conspiracy, although you were apparently not thinking in terms of force and violence.

Mr. HAGAN. No; certainly not.

Mr. DOYLE. You certainly were not; I can tell that.

Let me urge you also to do something vigorous and vigilant to counter that subversive conspiracy of the Communist Party. I invite you to do that for your country. I think it would be pleasant for you to do it. I know it would be, because I can tell and feel you have a great ability that your country needs.

Mr. HAGAN. Thank you.

Mr. DOYLE. Do you have anything else, Mr. Counsel?

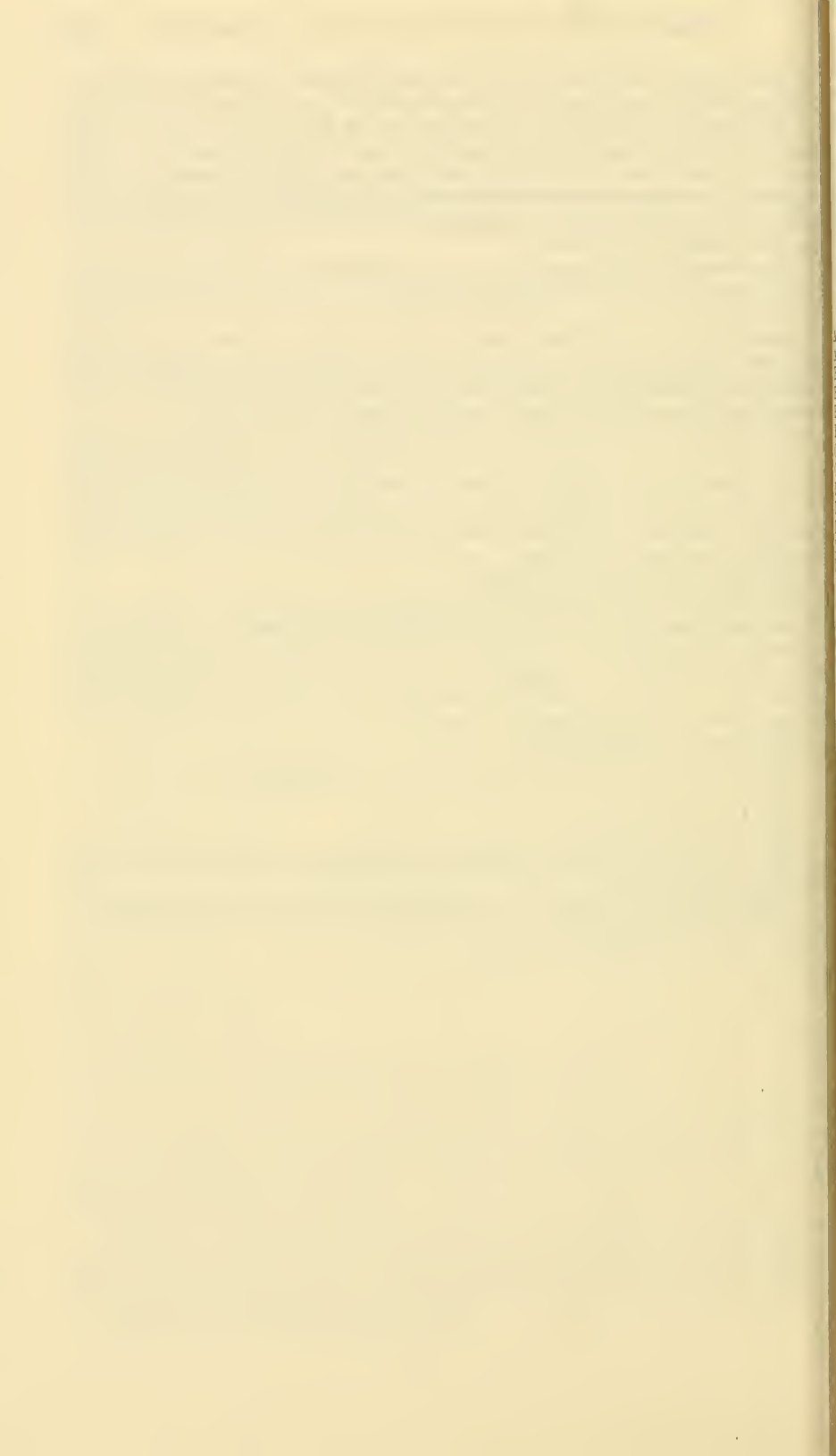
Mr. TAVENNER. No, sir; I do not.

Mr. DOYLE. Have you any other witness?

Mr. TAVENNER. No, sir.

Mr. DOYLE. Then the committee will stand in recess until 9 o'clock tomorrow morning.

(Whereupon, at 5:10 p. m., the hearing was adjourned to Wednesday, April 21, 1954, at 9 a. m.)



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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
STATE OF CALIFORNIA—Part 8

HEARING
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-THIRD CONGRESS
SECOND SESSION

APRIL 21, 1954
(MORNING SESSION)

Printed for the use of the Committee on Un-American Activities

INCLUDING INDEX



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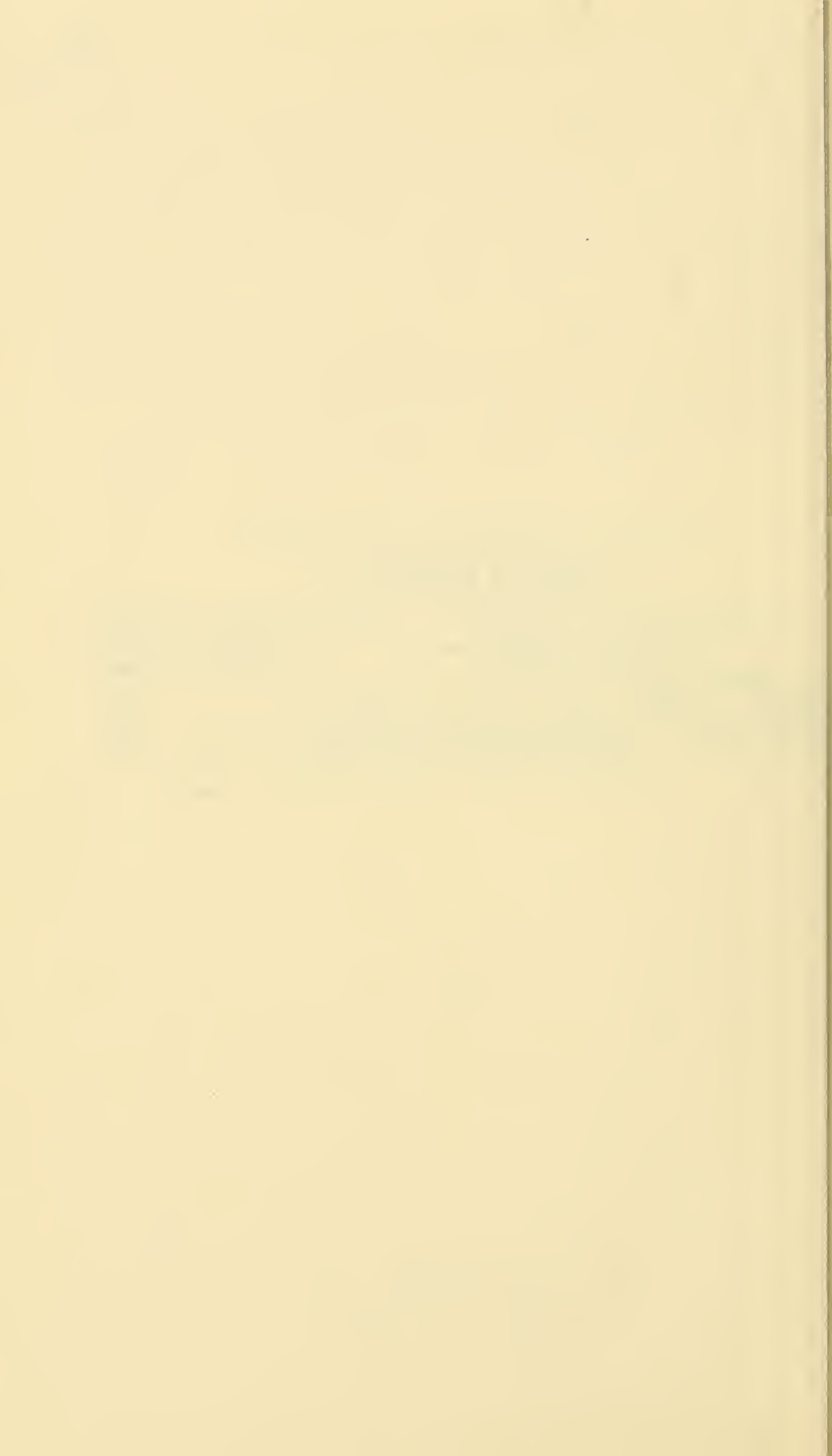
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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.
(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

- * * * * *
- (q) Committee on Un-American Activities, to consist of nine members.
- * * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE STATE OF CALIFORNIA—Part 8

WEDNESDAY, APRIL 21, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,
San Diego, Calif.

PUBLIC HEARING

MORNING SESSION

The subcommittee of the Committee on Un-American Activities met, pursuant to adjournment, at 9 a. m., in the Chamber of Commerce Building, Hon. Donald L. Jackson (acting chairman), presiding.

Committee members present: Representatives Donald L. Jackson and Clyde Doyle.

Staff members present: Frank S. Tavenner, Jr., counsel; William A. Wheeler, staff investigator; Mrs. Billie Wheeler, acting for the clerk.

Mr. ALEXANDER. Mr. Tavenner and Mr. Chairman, may I have the floor for one moment?

Mr. JACKSON. No; you may not have the floor.

Mr. ALEXANDER. I wish to reopen—

Mr. JACKSON. Will you please be seated until the hearing is open?

Mr. ALEXANDER. Mr. Jackson, I did not mean to interrupt or be discourteous.

Mr. JACKSON. Will you please be seated?

Mr. ALEXANDER. May I have an opportunity—

Mr. JACKSON. That will depend upon the decision made in the morning.

Mr. ALEXANDER. I have documentary evidence to show that testimony was falsified. I want to re-open in its entirety all the testimony in regard to Mr. Weihe.

Mr. JACKSON. The committee will consider that at the appropriate time.

Mr. ALEXANDER. I think I should have that opportunity. I have been ill, Mr. Jackson.

Mr. JACKSON. Will the gentleman suspend or it will be necessary for us to remove him from the hearing room. This hearing is not in session at the moment. At the proper time during the morning a decision will be made on your request.

Mr. ALEXANDER. I don't want this suppressed.

Mr. JACKSON. The committee will be in order.

Who is your first witness?

Mr. TAVENNER. Mr. Richard Adams.

TESTIMONY OF RICHARD E. ADAMS

Mr. JACKSON. Will you be sworn, please, Mr. Adams?

Do you solemnly swear in the testimony you are about to give before this subcommittee, you will tell the truth, the whole truth and nothing but the truth so help you God?

Mr. ADAMS. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please, sir?

Mr. ADAMS. Richard E. Adams.

Mr. TAVENNER. You are an attorney, Mr. Adams?

Mr. ADAMS. Yes, practicing law in the city of San Diego.

Mr. TAVENNER. You do not desire to have counsel, other counsel to accompany you?

Mr. ADAMS. Counsel, I shall act as my own counsel in the hearing if I may.

Mr. TAVENNER. When and where were you born, Mr. Adams?

Mr. ADAMS. I was born in Denver, Colo., October 20, 1912.

Mr. TAVENNER. Will you tell the committee, please, what your formal education and training has been?

Mr. ADAMS. High school graduate, Duluth Business College, and LL. B. degree from Balboa University in San Diego.

Mr. TAVENNER. Mr. Adams, when did you first take up your residence in the State of California?

Mr. ADAMS. Sometime in September 1943.

Mr. TAVENNER. Prior to that time where did you reside?

Mr. ADAMS. I resided at Duluth, Minn.

Mr. TAVENNER. How long were you a resident of Duluth, Minn.?

Mr. ADAMS. From January 1939 until August 1943.

Mr. TAVENNER. Prior to taking up residence at Duluth, Minn., in 1939, where did you reside?

Mr. ADAMS. I resided at Crosby and Brainerd, Minn.

Mr. TAVENNER. When did you first take up your residence at Crosby?

Mr. ADAMS. 1934.

Mr. TAVENNER. Will you tell the committee, please, briefly, how you have been employed since 1934?

Mr. ADAMS. Well, from October—the dates are approximate, that is, the time is approximate, to the best of my recollection—from October 1935, and if I may refresh my memory from notes.

Mr. TAVENNER. That is quite all right.

Mr. ADAMS. From October 1935 to March 1936, I was employed as a timekeeper.

From 1936 to January 1938 I was employed as camp superintendent warehouse superintendent for the Farm Security Administration stationed at Baudette, Minn.

March 1938 to June 1940, employed on the Adult Education Program, Works Progress Administration, Crosby, Minn., Duluth, Minn.

April 1942 to August 1943, a clerk for a construction company in Duluth.

August 1943 to July 1944, payroll clerk for a ship construction company in National City, Calif.

July 1941 to January 1945, a reporter for the People's Daily World, the Labor Leader, San Diego Daily Journal.

January 1945 to October 1945, a cashier in a cafe in San Diego.

October 1945 to April 1946, I believe there was a period in there I as job dispatcher for a local labor union, reporter for the Federated Press, manager of the Community Book Store.

April 1946 to September 1947, salesman.

September 1947 to June 1950, law school, Balboa University.

April 1951, to the present time, attorney at law.

Mr. JACKSON. You have been busy.

Mr. ADAMS. Thank you.

Mr. TAVENNER. Mr. Adams, will you tell the committee, please, whether at any time while a resident of the State of Minnesota or at any time while a resident of the State of California you have been affiliated with the Communist Party.

Mr. ADAMS. Counsel, will the committee, before I answer that question, promise me a transcript of this proceeding?

Mr. JACKSON. The Chair will state that a transcript of the proceeding may be obtained at the expense of the witness from the reporting firm. The Chairman at this time will approve purchase by you of such a transcript.

Mr. ADAMS. Thank you.

Will the reporter please read back the question?

(The question was read by the reporter.)

Mr. ADAMS. I have been a member of the Communist Party.

Mr. TAVENNER. Where did you first become a member of the Communist Party?

Mr. ADAMS. I first joined the Communist Party in the city of Minneapolis, Minn., sometime in 1935. I was expelled from the Communist Party in the city of Duluth, Minn., in 1939.

I rejoined the Communist Party in the city of San Diego, Calif., in 1944, and was once more expelled from the Communist Party in the city of San Diego sometime in the early part of 1946.

Mr. TAVENNER. Will you tell the committee, please, the circumstances under which you first joined the Communist Party, and also the circumstances under which you were expelled in 1939?

Mr. Chairman, inasmuch as this relates to the period in which the witness was a member of the Communist Party in Minnesota, I do not desire to ask the witness and prefer that he not go in detail into the question of membership, or in great detail into his experience in the Communist Party in Minnesota, as I would like to take that testimony in executive session for the purpose of further study and investigation by the committee.

Mr. JACKSON. Very well.

Mr. ADAMS. Preliminarily, counsel, I would like to state that this whole matter has previously been inquired into by a subcommittee of the Board of Bar Examiners before I was admitted to the practice of law in the State of California. I passed the bar examination in October of 1950, was called before the committee, I believe, sometime during January of 1951, at which time I was placed under oath, and the committee inquired into my past political affiliation, my past political activity, my past association. I was later informed that I had sustained the burden of proof inasmuch as I had proved good moral character, which was the issue there, and was thereafter admitted to the bar.

Now, in answer to the question: I grew up in a mining community an iron mining community in northern Minnesota. I saw the effect of the depression in 1929 upon the people of that part of the country. I observed that the mine workers were denied the right to join a union under penalty of discharge by the steel trust. I watched the rise of fascism in Europe.

I joined the farm labor movement of Governor Olson and Elmer Benson. I believed in the cooperative commonwealth idea on which that movement was founded.

Upon the advent of the New Deal and its relative slow progress in adjusting injustices at home, or in opposing fascism abroad, I looked around for a more rapid solution to the problem, and at that time it appeared to me that the Communist Party was the organization which had this solution. It opposed fascism abroad and sought government ownership at home.

So when I was invited to join I did so.

I believe part of the question was the conditions surrounding my expulsion from the party in 1939, is that right?

Mr. TAVENNER. That is correct, but before proceeding to the phase of the question, will you tell the committee, please, whether you attained any position of leadership in the Communist Party in the State of Minnesota? In other words, what positions, if any, did you hold?

Mr. ADAMS. As far as I can recall now, I was secretary of the local unit or branch, and not cells, by the way, and a member of the section committee which at that time would roughly correspond to the county committee.

Mr. DOYLE. May I ask about how old you were at that time?

Mr. ADAMS. I was born in 1912. I believe it would be about twenty-two.

What is the question?

Mr. TAVENNER. The question now is, Will you tell the committee the circumstances under which you left the party in 1939?

Mr. ADAMS. Well, when war broke out in Europe in 1939 I thought the United States should join with the Allies immediately to defeat Hitler and Mussolini, and, of course, at that time Mussolini was not in the war yet. Italy was still a non-belligerent.

I attempted to convince the Communist Party of this, but was unsuccessful. I believe that the Russian-German or the Soviet non-aggression pact, did serve the short time interest of the Soviet Union and I felt that the Soviet Union at that time was fully justified in entering into such a pact, because, if you will recall, she did not desire to have Hitler do the same thing to her as the Japanese were doing to China, while we stood on the sideline and furnished the gas, oil and steel, and the wherewithal for them to do it.

So from that point of view I felt that the nonaggression pact from the Soviet point of view, was justified. However, I felt, too, that Hitler was still as great a threat or a bigger threat to the United States and ultimately to the Soviet Union in 1939 and 1940 than he was in the earlier part of the thirties.

I further thought that if the United States joined with the western allies against Hitler they could defeat Germany without the aid of the Soviet Union. I am convinced now, however, that that might have been a mistake. However, it didn't happen to be foreign minister of

he Soviet Union, I didn't happen to be in a leading position in the Communist Party in this country, and I must say that the overwhelming majority of the Communists with whom I discussed this question were opposed to my point of view.

So it was because of this difference of opinion with the Communists that I was expelled in 1939, and I believe that was correct, because no revolutionary movement can tolerate within its ranks a difference of opinion because that might be fatal.

MR. TAVENNER. Were you not then permitted to express your own views and opinions on political matters, if they were contrary to the line of the Communist Party? Is that, in substance, what you are saying?

MR. ADAMS. Yes. This debate raged in the section committee with a lot of intensity, and when the vote was taken, I do not remember the exact number, but I think the vote was something like 16 to 1. I was the one.

MR. JACKSON. It points up, does it not, Mr. Adams, the fact that there is no place in the Communist Party for a difference of opinion when the difference extends to basic doctrines of the party?

MR. ADAMS. That is correct. In no revolutionary movement can there be a difference of opinion, and I think the same thing holds true in many other organizations. You cannot belong to many organizations and have a difference of opinion basically with the aims, objectives, tactics, and programs of that organization.

MR. DOYLE. I notice you apply the term revolutionary movement to the Communist Party. Why do you do that?

MR. ADAMS. Well, Congressman, has there ever been any denial that the Communist movement of all countries, and the international Communist movement particularly, is not a revolutionary movement? If so, I have been sadly misled.

MR. DOYLE. Well, I am not saying. Manifestly the purport of my question was to get a short statement from you based on your experience and analysis for the record, for the information of those who may hear or read. That is why I asked you the question.

MR. ADAMS. Did I term the Communist movement a revolutionary movement?

MR. DOYLE. Yes.

MR. ADAMS. It is a revolutionary movement. A true Communist movement must of necessity be a revolutionary movement.

MR. JACKSON. There are several types of revolutions—social revolution, a violent revolution, or both. We would like to have clarification of what you mean by revolution. Do you mean social evolution, which is also a revolution, or do you mean the use of force and violence, as usually understood in connection with a violent revolution?

MR. ADAMS. Congressman, I have been listening to these hearings for the past few days, and really, I think the committee's leg is being pulled by some of these friendly witnesses.

MR. JACKSON. That may be the case. However, that is hardly responsive to what I mean to be an honest and fair question.

MR. ADAMS. I shall respond to your question, Congressman. I told you Saturday, or I believe you were not present Saturday when I made the statement, I should answer all questions put to me to the best of my recollection, knowledge, and ability.

MR. JACKSON. Thank you very much. That is all we want.

Mr. ADAMS. Congressman, you do not have to worry about that. However, to decide the question of whether or not the Communist movement is a revolutionary movement, I think that we should go to the authorities, as an attorney, and I think counsel will agree with me, and we don't go out in the street and take hearsay to determine a question.

Now, I think if you desire I could quote in about 3 minutes excerpts from the Communist Manifesto, which was the original document written by Marx and Engels in 1848.

Mr. JACKSON. Yes, and with which document the committee is familiar, but again the point of my question is directed to the term, "revolutionary movement." The basic documents of communism since the Manifesto state very definitely that it is a revolutionary movement. I should like to have you, out of your experience, express your personal ideas as to what constitutes the revolutionary aspects of communism in the United States.

Mr. ADAMS. Well, Congressman, the basic tenet of the Communist movement in all countries of the world is that there must be an abolition of private property.

Private property, and I mean by private property the abolition of private ownership of the means of production. Now, naturally, in any state where the government guarantees the ownership of private property, such as our Government does in this country, it would be necessary for a drastic change to be made in that government before even the preliminary portion of a Communist program could be placed in effect, as Marx sets forth in the Manifesto, with which I have been furnished a copy by the committee, for which I thank you.

However, and this is the point, and I think it is a very basic point where I feel that this committee's leg is being pulled, that Lenin in State and Revolution sets forth 3 conditions which must exist before there can be a Communist revolution in any country, and those 3 conditions are very simple.

You must have a situation where the overwhelming masses or majority of the people are dissatisfied with the economic and social conditions in the country and desire a change.

You must have some sort of a governmental crisis; secondly, where the political organization which is directing the political destinies of the Nation cannot rule or guide in the same manner any longer, and thirdly, you must have a revolutionary party trained, ready, willing and able to take over.

Now, all three of these conditions, Congressman, must concur in point of time. Without all three of those conditions there could be no possibility of a Marxist revolution, and I do not think anyone that believes in Marxist philosophy would try to start a revolution without that.

Now, when we apply that situation to our own country, we find that with few exceptions, maybe in 2 or 3 historical periods, one of those conditions existed, but never 3 of them at the same time, which means that that country is not faced with a Communist revolution, there is not about to be a Communist revolution in this country, and the Communist threat, insofar as a domestic revolution in America, is really a bogeyman, and a straw man, because it is utterly impossible, even according to the Marxist theory, for a Communist revolution to take place unless those three conditions exist.

Mr. JACKSON. May I say with respect to that, it is very interesting, and I am very happy to have your opinion, but none of those three conditions which you have outlined existed at the time there were operating in the Nation's capital 2 or 3 espionage rings which were extracting from the top secret files of the United States Government information and documentation essential to the well being and safety and the security of the Nation.

Now, whether or not the conditions exist for violent overthrow of the Government by force and violence, there is a constant danger of subversive activities, which do not directly relate to the armed overthrow of the Government of the United States by force and violence tomorrow, but which still constitute a menace to the safety and security of this country.

We have two matters to consider relative to your three points. I don't think anyone contends that the coup d'état in Prague, with not more than 10 percent of the population being members of the Communist Party, represented the people of Czechoslovakia.

Mr. ADAMS. May I interject here, did you read the statistics of the last democratic election in Czechoslovakia?

Mr. JACKSON. Yes, I am familiar with them. I made quite a study of it in the Committee on Foreign Affairs of the House, which went into all the statistical data relative to the situation as it existed there previous to the overthrow of that democracy. However, this group is academic.

Proceed, Mr. Counsel.

Mr. TAVENNER. Wasn't the purpose of the Communist Party during the time that you were a member, both in Minneapolis as well as in California, to increase its membership so as to increase its power at the time that a revolutionary movement would have a chance of success?

Mr. ADAMS. It is the purpose of the Communist Party not only in America but in all countries of the world to increase their members so they may increase their power, and to develop from those members a revolutionary organization, ready, willing, and able to take a political power when the time comes. That is no secret. That is correct.

Mr. TAVENNER. I understand that in 1944 you reaffiliated with the Communist Party here in San Diego.

Mr. ADAMS. Yes. At that time I was elected first a delegate to the Central Labor Council of the A. F. of L. here from the Office Workers' Union. There I became interested in what the Communists were doing, and when I was invited to rejoin I made application. It was a period of time before my application cleared. I assume it had to be cleared with Minnesota, which was the policy at the time when a person had been expelled from the organization.

Mr. TAVENNER. Will you tell the committee, please, more in detail the circumstances under which you became a member in 1944?

Mr. ADAMS. Yes, counsel. By 1944 the Communist position on the war was the same as my own, and I might add the same as millions of other people in this country, that is, the central objective of the Communist Party in 1944 was to win the war.

I felt that my position in 1939 had been vindicated, and also by that time the Communist Party's domestic program had been watered down by Earl Browder, until really it was somewhere to the right of the old farmer-labor movement in Minnesota.

I became interested in what the Communists were doing in San Diego, so I made application, and eventually that application was accepted. I think it was mainly their activity in the winning of the war that motivated me at that time.

Mr. TAVENNER. When you became a representative of the Office Workers' Union on the Central Labor Council of this area, were you a member of the Communist Party?

Mr. ADAMS. I am quite sure not. I became a delegate to the Central Labor Council by writing a letter to the Tribune denouncing its stand on the war, which was published, and the fellow that was running the union immediately appointed me a delegate to the Central Labor Council, and I was not a member of the Communist Party, as far as I can recall, at that particular time.

Mr. TAVENNER. Did you find, after becoming a member of the Communist Party, that there were other Communist Party members on the Central Labor Committee, counsel?

Mr. ADAMS. I believe there were other Communist Party members on that committee at that time.

Mr. TAVENNER. Do you know that of your own personal knowledge?

Mr. ADAMS. Counsel, this has been 8 or 10 years ago, and time has a way of tricking the memory of people, and I would hate to do someone an injustice. I am of the present impression that there were other Communists in the Central Labor Council.

Mr. TAVENNER. Of course, I cannot ask you what your impression was. It is only in the event that you have a recollection.

Mr. ADAMS. Let's say, then, so we don't do an injustice to anyone, that I do not recall at this particular time.

Mr. TAVENNER. To whom did you submit your application for membership in the Communist Party in 1944?

Mr. ADAMS. Counsel, I don't want to try to direct the way the hearing is going, but I fully understand that this committee, and all of it, as of all the witnesses, are going to ask me the names of the people I associated with during this period, and I would like to save that for the end of my testimony, if I may.

Mr. TAVENNER. I don't see that it makes any difference particularly.

Mr. ADAMS. Let's save it for the dessert, shall we?

Mr. JACKSON. Just a minute. Let's let the committee run the committee, and counsel will proceed in whatever order he has determined so far as the questions are concerned.

Mr. TAVENNER. To whom did you submit your application for membership?

Mr. ADAMS. Counsel, that involves three things. It involves, first of all, a question of personal conscience. That is, I feel that I could not in good conscience give this committee the names of people whom I knew to be Communists. I feel this for two reasons. I may make a mistake. It has been 8 to 10 years since I knew these people. I don't know what they are now. They might feel about politics and economics the same as I do today, which would be an injustice to them to be named before this committee.

Secondly, there is this particular question, and it is a legal question. I do not know what these people are doing today. I understand that the prosecution under the Smith Act was a prosecution and a conviction for perjury—not for perjury, for conspiracy. A conspiracy, as

you all know, can be in the eyes of the law a continuing thing. Members of a conspiracy may be liable for the acts of their co-conspirators even though not there. It is only as a result of having withdrawn and making that knowledge known to other members of the conspiracy that in the eyes of the law a person may not be liable for a conspiracy.

Now, I did not withdraw from the Communist Party. I was thrown out of the Communist Party, and I did not submit any letter of recommendation. I do not know what these people have been doing since, and frankly, I am not going to put myself in a position where somebody can come along and wrap me up for something some joker has done in the last 8 years that I know nothing about.

So for that reason, counsel, I feel I cannot answer that question.

Mr. JACKSON. Do you decline to answer the question?

Mr. ADAMS. I do respectfully decline to answer that question.

Mr. JACKSON. And for the reasons you have stated?

Mr. ADAMS. Yes, and for the further reason, counsel, there is no law in this country which could cause me to give evidence which might be used against me.

Mr. JACKSON. In other words, you are pleading the fifth amendment?

Mr. ADAMS. Primarily, the first.

Mr. JACKSON. And secondarily?

Mr. ADAMS. And secondarily the fifth. For safety's sake, I might throw in all the rest of the 22 and all of the Constitution.

Mr. JACKSON. Yes; and some witnesses have added the Ten Commandments.

Mr. ADAMS. And I think the United Nations' charter might be well here, too, and all of the covenants.

Mr. JACKSON. It will be understood you are pleading all of them, including the two legal reasons under the Constitution.

Mr. ADAMS. Yes, but only for the purpose of naming these people who might have done something since I knew them that I might have been responsible for.

Mr. JACKSON. I think possibly the course of counsel's questioning will develop further questions which will also require an answer, and in that event and in the interest of saving time it will be sufficient for the committee, without objection, if the declination is based on the grounds previously stated for the same reasons.

Mr. ADAMS. In other words, a reference to that same statement?

Mr. JACKSON. Rather than enumerating all of them.

Mr. DOYLE. I think that is a good ruling, Mr. Chairman, and will save time.

Mr. JACKSON. In the meanwhile, and with reference to the last question, the witness is directed to answer the question.

Mr. ADAMS. Congressman, are you directing me to answer that question?

Mr. JACKSON. Yes.

Mr. ADAMS. I have just told you why I refuse to answer.

Mr. JACKSON. The direction still stands. Do you further decline to answer?

Mr. ADAMS. Oh, surely. Is this an implied threat there might be a contempt citation?

Mr. JACKSON. It wasn't a threat of anything. Is your declination based on the reasons previously given?

Mr. ADAMS. Yes.

Mr. JACKSON. Proceed, Mr. Counsel.

Mr. TAVENNER. To what group or unit of the Communist Party were you assigned in becoming a member in 1944?

Mr. ADAMS. I was assigned to a branch in San Diego which was known as the Logan Heights Branch.

Mr. TAVENNER. How long did you remain a member of that branch?

Mr. ADAMS. I do not exactly recall. I attended a very few meetings of that branch. Later on the branches were more or less merged in one citywide organization. Then still later on the citywide organization was divided up into branches once more. So I went from the Logan Heights branch to the citywide group, back to a branch in the South Bay area.

Mr. TAVENNER. What was the name of the branch in the South Bay area when you were assigned to that general area?

Mr. ADAMS. The South Bay Branch, if I recall correctly.

Mr. TAVENNER. How many persons composed the membership of the Logan Heights Branch of the party when you became a member?

Mr. ADAMS. I could not give you any definite things on that. I might have been 10, it might have been 50. I have no way of knowing I never saw the membership list and it is just my recollection at that time.

Mr. TAVENNER. Do you recall the approximate number of the membership of the South Bay Branch?

Mr. ADAMS. No, I don't, but it was my impression it was considerably smaller than the Logan Heights Branch.

Mr. TAVENNER. During the period of your membership in San Diego did you become an official of either of these groups or hold any other position in the Communist Party?

Mr. ADAMS. I was elected to the executive committee of San Diego County in 1944, and again in 1945.

Mr. TAVENNER. What were your duties as a member of the executive committee?

Mr. ADAMS. I was mainly concerned with the press at that time.

Mr. TAVENNER. What you mean, mainly concerned with the press?

Mr. ADAMS. My responsibility was to report the San Diego news to the People's Daily World, to check with the people that were promoting the circulation of the Daily World.

Mr. TAVENNER. Was that your particular task on this executive committee?

Mr. ADAMS. Yes.

Mr. TAVENNER. That was the county executive committee?

Mr. ADAMS. Yes.

Mr. TAVENNER. Will you tell the committee how that executive committee was organized?

Mr. ADAMS. As far as I remember, the executive committee was made up of people elected by the various groups.

Mr. TAVENNER. How many persons were on that committee?

Mr. ADAMS. I don't recall the exact number. There might have been 7. There could have been 14.

Mr. TAVENNER. What were the functions of the other members of this committee?

Mr. ADAMS. Well, the organizational plan of the Communist Party is well known, and I think the San Diego organization pretty well corresponded to the other organizations in that certain people were assigned in the executive committee to carry on the activities in various fields.

Mr. TAVENNER. Will you explain to the committee the general nature of those assignments and the fields in which they were to operate?

Mr. ADAMS. Well, counsel, I am really trying to answer this to the best of my ability, but the San Diego Communist Party always was a strange party to me, in that nobody seemed to ever do things as I had been taught that Communists were supposed to do.

In other words, the organization was a very haphazard organization. No one, seemingly, was too responsible for anything, and naturally no one carrying out the job that they were assigned to.

Now, people in the executive committee were responsible for recruiting members. Other people would naturally be responsible for the circulation of the literature. That is, to the best of my recollection, about the 3 divisions.

Mr. TAVENNER. Who was in charge of the recruitment of new members, or the work of recruitment of new members from the executive committee of the Communist Party?

Mr. ADAMS. I will decline to answer that, counsel, and refer you to my statement on the previous questions as the reason for my declination.

Mr. JACKSON. The witness is directed to answer the question.

Mr. ADAMS. I shall, Congressman, answer your direction in the same manner.

Mr. TAVENNER. Who was in charge of the work of distribution of Communist Party literature?

Mr. ADAMS. The same answer for the same reason.

Mr. JACKSON. The witness is directed to answer the question.

Mr. ADAMS. And my answer to you, Congressman, is the same.

Mr. TAVENNER. Who was the head of the Communist Party at the time you were a member of the executive committee, that is, the head of the party in San Diego County?

Mr. ADAMS. I shall decline to answer that question.

Mr. JACKSON. The witness is directed to answer the question.

Mr. ADAMS. And my answer, Congressman, is the same, upon the grounds previously stated, and I wish the record to show that any time I refuse to name an individual it is for the reasons previously stated.

Mr. JACKSON. It will be understood by the committee, without objection, that when the witness' refusal to answer is entered, it will be upon the grounds previously stated.

Mr. ADAMS. Thank you, Congressman. Also, counsel, I would like to add one other thing and have it apply to the refusal before, that this information is cumulative and it is well known that it is not necessary that this committee have cumulative information; that this committee has the answers to the questions which they already asked me, in my opinion.

Mr. JACKSON. That may be your opinion, but let the Chair state that the Chair is not personally in possession of all of the information

to which the questions are directed and I am confident Mr. Doyle is not in possession of that information.

Mr. DOYLE. I wish the witness to know that I am not in possession of any information as to what your Communist Party activities were.

Mr. ADAMS. I am telling you about it, though.

Mr. DOYLE. So your connection with the Communist Party and who you functioned with in the Communist Party is very material, sir.

Mr. ADAMS. Are you telling me, Congressman, you didn't know anything about my previous activities until you got here today?

Mr. DOYLE. I am telling you that only superficially did I read what your record was.

Mr. JACKSON. I will make it more positive than that. I had no knowledge until I took this chair of your detailed activities within the Communist Party.

Mr. ADAMS. Then you do not read the reports of your investigators before you take the chair?

Mr. JACKSON. No, not necessarily. In your case I did not.

Mr. ADAMS. That is an astounding statement.

Mr. JACKSON. Well, I don't know that it is so astounding. I imagine that in judicial proceedings throughout the country that it would be very unusual for a judge to read all the testimony that had been developed. I don't relate that to this committee, but I do not think it is at all unusual to approach a witness objectively.

Mr. DOYLE. Mr. Chairman, I happen to be a member of the bar, the California bar, and I have known of occasions when busy lawyers have gone into the courtroom for trial without having previously read the records, and I assume this lawyer has done that, too.

Mr. ADAMS. I do it all the time, especially in criminal cases. I find it much easier to defend them.

Mr. DOYLE. That is right.

Mr. JACKSON. Proceed, counsel.

Mr. TAVENNER. What was the chief activity of the Communist Party in San Diego at the time you were a member of the executive committee?

Mr. ADAMS. Recruiting membership, selling literature, extending the circulation of the Daily World.

Mr. TAVENNER. Were you a member of the Office Workers' Union during the entire period of your membership in San Diego?

Mr. ADAMS. I joined the Office Workers' Union before I rejoined the Communist Party.

Mr. TAVENNER. And you were still a member of the Office Workers' Union at the time you left the party?

Mr. ADAMS. I am not too sure on dates, but think I was. I wouldn't want to be positive, make a positive statement, because my memory fails me.

Mr. TAVENNER. Were there other members of the Communist Party within your local union?

Mr. ADAMS. Not to my knowledge.

Mr. TAVENNER. Did you endeavor to recruit any members in the Communist Party from your local union?

Mr. ADAMS. No.

Mr. TAVENNER. Was any effort made, as far as you know, by other Communist Party members to recruit members into the Communist Party from your local union?

Mr. ADAMS. Not from my local union, counsel, no.

Mr. TAVENNER. Is there any special reason for that that you know of? You say, one of the main objectives was to recruit members.

Mr. ADAMS. Yes, that is correct, but the Communist Party in the United States, as elsewhere in the world, naturally concentrates on recruitment of industrial workers, and that is not from the security angle either, Congressman, but that has been a program before the security problem arose, and if your forces are limited, you would naturally assign them as much as possible to recruit people from industry, and office workers are not considered industrial workers in any sense of the word.

Mr. JACKSON. Just to have the record straight on the matter of whether or not there is an effort made to direct into industrial channels, here is sworn testimony before the committee, and I believe it was developed during the course of the investigation into the activity of the Communist Party in District 4, which comprises Maryland and the District of Columbia, that in some instances office workers were recruited into the party and directed to work in the Sparrow's Point plant of the Bethlehem Steel Corporation.

There is other sworn testimony which indicates beyond any peradventure of a doubt that a determined effort was made to direct workers into industry who had no previous training in industry.

Proceed, Mr. Counsel.

Mr. ADAMS. Yes, Congressman, the direction of people into industry is common practice on the part of the Communist Party.

Mr. JACKSON. Very well. I felt that that matter was not made clear in your statement, and as it stood it might indicate that the Communist Party did not attempt to infiltrate people into defense plants.

Mr. ADAMS. Take this whole point of my refusal to answer names of individuals, I don't know what other people did.

Mr. JACKSON. What we are trying to determine, is what the people of the Communist Party are doing today. We would like to know what their activities are.

Mr. ADAMS. I think you know, Congressman.

Mr. JACKSON. Proceed, counsel.

Mr. TAVENNER. I am not sure whether you specifically answered my question whether or not to your knowledge an effort was made by the Communist Party to recruit members from your local union, the Office Workers' Union.

Mr. ADAMS. The answer to that, counsel, I made is no.

Mr. TAVENNER. How long did you remain a member of the Communist Party in San Diego?

Mr. ADAMS. I was expelled from the San Diego Communist Party in the early part of 1944. No, wait a minute. 1946.

Mr. TAVENNER. Do you recall whether during that period there was a group of the Communist Party in San Diego generally referred to as a professional branch or group of the party?

Mr. ADAMS. I have no knowledge of any professional branch or group.

Mr. TAVENNER. Did you acquire information during your Communist Party membership indicating to you that such a group did exist?

Mr. ADAMS. The answer to that would be no. I don't believe I did. I have no present recollection of having acquired any such knowledge.

I think such a group was not existent at that time, because I am quite sure if there had been such a group I might have been assigned to it. So I base my answer mainly on that.

Mr. TAVENNER. Well, at that time you were not a member of the legal profession. Just what was the nature of your employment during the period in 1944 to 1946? You have told us, but I do not recall exactly what you said about that period.

Mr. ADAMS. Assistant paymaster, newspaper reporter, job dispatcher, writer.

Mr. TAVENNER. Well, from that employment, the nature of that employment, it is not necessarily true that you would have been admitted to a professional cell or group of the party, would it?

Mr. ADAMS. Not necessarily, that is correct. But if there had been such a group I am sure I would have had some knowledge about it and at this time I have no recollection of any such knowledge, and I don't believe there was such a group at that time.

Mr. TAVENNER. Did you have any experience with professional groups of the Communist party in Minnesota?

Mr. ADAMS. Very little; mainly among teachers.

Mr. TAVENNER. What was the general purpose of having set up in the Communist Party plan a group or branch known as the professional branch?

Mr. ADAMS. Well, the national committee of the Communist Party has a commission, which is a national commission, which concentrate on people of various nationalities. By the same token, in a State or organization, national organization, county organization, in many localities, they have a special section which is composed of professional people, because professional people do not, in the main, like to associate and mingle, they feel better mingling with each other. Therefore they are placed in a group of their own.

Mr. TAVENNER. I thought the Communist Party prided itself on absolute equality.

Mr. ADAMS. There is no equality in this world, Congressman whether it is in the Communist Party or in the Republican Party.

Mr. TAVENNER. As a matter of fact, wasn't the real reason for the establishment of professional cells a matter of security to certain individuals who otherwise would not come into the Communist Party?

Mr. ADAMS. I don't believe that was the original idea.

Mr. TAVENNER. Well, we have had the testimony in Los Angeles by a Mr. Harold Ashe, who was one of the early State organizers of the Communist Party in California, and it was through him that the first professional group of the Communist Party was formed in California, in Los Angeles, in which he testified to that very point, that it was done in order to protect their identity, even from other Communist Party members.

Now, in this case, if there was any such, if there was a professional group or cell of the Communist Party in San Diego, it was so secret that you didn't even know of its existence.

Mr. ADAMS. That is entirely possible, but I think the reasoning there is a little erroneous, for the simple reason that professional people are pretty well known to each other, and it would probably be safer to have professional people sprinkled among industrial branches, small branches, from the viewpoint of protecting their

identity, rather than having them in one large group, where all the doctors know each other, all the dentists know each other, all the attorneys know each other; somebody is going to say something out of turn. From the security standpoint, I think it would be much better to sprinkle them out.

Mr. TAVENNER. That is just your personal view.

Mr. ADAMS. That is my personal view; yes.

Mr. TAVENNER. Will you tell the committee, please, the circumstances under which you left the Communist Party in San Diego?

Mr. ADAMS. May I refresh my recollection, Mr. Chairman.

Well, by 1946, Mr. Chairman, I had decided that I was no longer a revolutionist; I no longer agreed that the program of the Communists would solve the problems America was faced with. I decided basically that I was in disagreement with Communists. I recognized that many people of the Communist Party were not really Communists. Many of them did not know what communism was. I decided I was not a Communist, therefore I would have no place in the Communist movement.

I had a very decided difference of opinion with the leadership of the Communist Party, starting with the famous Duclos communication, the Duclos letter, which was the beginning of the ideological conflict that developed between me and the Communist Party, and which led to my expulsion in the early part of 1946.

Mr. TAVENNER. Let us stop at that moment, and I would like for you to state to the committee just how the Duclos letter was involved in your decision—not your decision to leave the Communist Party, but how it was involved in the controversy that resulted in your dismissal from the party, and in order to do that possibly you should explain what has been explained before to the committee, just what the Duclos letter was and wherein you disagreed with it, if you did.

Mr. ADAMS. Yes; I shall endeavor to do that.

There had been a gradual change in the policy of the Communist Party, starting with possibly 1936. The domestic program of the Communist Party became more watered down. The revolutionary aspects of the Communist Party were shoved more and more in the background. The impetus for this was doubtless George Dimitrov's presentation of the program of the united front before the Seventh World Congress of the Communist International in 1935.

At that time the objectives of the Communist Party throughout the world were conceived to play a part in organizing everyone who was against fascism and who was against war into one common front to oppose Hitler and Mussolini, to take people of other political faiths, beliefs, and so on, and try to get them into an organization in opposition to Hitler and Mussolini.

Now, the united front, in my opinion, was never properly applied in America by the Communist leaders. Earl Browder, for instance, applied it to the point that by 1945 the Communist Party was being liquidated in America. I think it is a historical fact that broad sections of the Communist Party in the South were entirely liquidated, and the party had no organization in those sections of the country.

This whole trend, doubtless, caused a great deal of concern among Communists throughout the world, the leaders of the Communist Party world, such as France, Italy, and the Soviet Union.

Duclos was, in my opinion, selected by these people to write the celebrated letter which threw Browder out on the water, saying that in other countries they were not carrying out a Communist line and it would be necessary to reorganize their entire organization and re-examine their strategy pattern and so on.

The organizational apparatus of the international Communist movement was more or less nonexistent from the time of the liquidation of the Comintern until the time of the restoration of the Cominform after the war.

Evidently there was no concrete exchange of plans and ideas between the leaders of the various Communist Parties throughout the world, so we found many Communist Parties developed different programs during that period, and the Duclos letter was one of the means taken to try to make Bolsheviks out of a bunch of liberals who had gotten into the Communist Party movement.

Mr. TAVENNER. Isn't it true to say that Duclos found fault with Browder for having considered that the Teheran Conference set a new plan for the Communist Party; that is, one in which the Communist Party could get along with capitalism and they could both exist together? Isn't that about the substance of it?

Mr. ADAMS. Yes; definitely. Browder had a theory that after the war the Communists were going to be able to live with the Capitalist and vice versa, the lamb and the lion were going to lie down together; everything was going to be rosy; standards of living were going to increase 100 percent; there would be no revolutionary movement because there would be no need of a revolutionary movement.

Mr. TAVENNER. And Foster was a critic of Browder, along with Sam Darcy and other leading Communists of the country, and Duclos took up the gavel, along with Foster, and that resulted in the ousting of Browder.

Mr. ADAMS. Yes; in my opinion Foster is a brave man, but probably the biggest political opportunist that ever hit the American scene. I remember when the Duclos letter came to America and the stance of Foster was in a more or less secret meeting. Darcy at that time went outside of the secret meeting of the national committee and did some work, for which he was expelled from the party.

But I think Foster is an opportunist of the first water and simply jumped on the bandwagon, because he felt the majority of the Communists in America would agree with the program.

Mr. TAVENNER. And the force and effect of the Duclos letter was to tell the Communist Party in the United States that it had been all wrong and it was now necessary to return to the revolutionary principles of the party?

Mr. ADAMS. That is correct; and told them so in a very forceful manner. But it is not the first time the international movement told the American Communists they were all wrong. It happened once before in 1928, I believe, when Lovestone was thrown out of the party.

Mr. TAVENNER. Do you know anything about the Lovestone movement in the San Diego area?

Mr. ADAMS. I was not aware that there was a Lovestone movement here. That is news to me.

Mr. TAVENNER. Are you aware that there was a Lovestone movement in San Diego?

Mr. ADAMS. No; I have had no contact with any type of a Love-stone movement in, oh, '35, or thereabouts.

Mr. TAVENNER. All right. Proceed with your answer.

Mr. ADAMS. Well, counsel, I think I have just about finished.

Mr. TAVENNER. Now, you have stated in a general way what the Duclos letter was, and how it reversed the policies of Browder. In what way did that lead to differences of opinion between you and the leadership of the Communist Party in San Diego, if I understand you correctly?

Mr. ADAMS. Well, when the Duclos letter hit San Diego, some of the leaders of the Communist Party played more or less the same role that Foster did. I accused them of being opportunists in trying to wait to see which way the wind was blowing.

Secondly, it was apparent to me that the Duclos letter meant that anyone calling himself a Communist would have to be a revolutionist.

As I said before, I by that time had decided I was not a revolutionist, so in the antagonisms that were developed over the Duclos letter, the conflict between me and the party leaders led to my expulsion once more.

Mr. TAVENNER. How did you receive your notice of the expulsion?

Mr. ADAMS. I was told I was being dropped, about 6 months later I was told I had been expelled. I do not think they turned the name over to the daily papers, which they did later on, to some people that they expelled. The information was furnished to me by word of mouth.

Mr. TAVENNER. Were you called before a committee or a group of the Communist Party on this matter?

Mr. ADAMS. No.

Mr. TAVENNER. What body of the Communist Party took that action?

Mr. ADAMS. I do not know.

Mr. TAVENNER. Who was the head of the Communist Party in San Diego County at the time this action was taken?

Mr. ADAMS. I am going to have to decline to answer that on the grounds heretofore stated, because I do not know what this monkey is doing now, and I am not about to get tied in with anything he has done since.

Mr. TAVENNER. Did this mean the end of your Communist Party activities?

Mr. ADAMS. It certainly did.

Mr. TAVENNER. I suggest, Mr. Chairman, that the witness be directed to answer the question.

Mr. JACKSON. The witness will answer the question.

Mr. ADAMS. I did my best. I thought the question was, did this mean the end of your Communist Party activities, and it certainly did.

Mr. TAVENNER. The prior question, which you refused to answer.

Mr. ADAMS. I am sorry.

Mr. JACKSON. The Chair now directs the witness to answer.

Mr. ADAMS. The same answer, Mr. Congressman.

Mr. JACKSON. Who was the person who notified you of your expulsion from the Communist Party?

Mr. ADAMS. The same answer, Mr. Chairman.

Mr. JACKSON. The witness is directed to answer the question.

Mr. ADAMS. The same answer.

Mr. DOYLE. At that point may I ask you this: From what level of the Communist Party were you told you were expelled?

Mr. ADAMS. I was told I was being dropped by the head of the Communist Party in San Diego at that time. Later on I was told by some fifth wheel in the organization that I was expelled.

Mr. DOYLE. And the fifth wheel was also in the San Diego Communist Party level or was it a higher level?

Mr. ADAMS. A higher level.

Mr. DOYLE. Does that mean the State level or national level.

Mr. ADAMS. I think international.

Mr. DOYLE. International?

Mr. ADAMS. Yes.

Mr. DOYLE. And was he an American citizen, as far as you know, or citizen of some other nation?

Mr. ADAMS. It was a woman. I do not think she was an American citizen. I think maybe she was on the payroll of the State Department.

Mr. DOYLE. I didn't understand your answer.

Mr. ADAMS. It was a woman, not a citizen of the United States, but an employee, I think, of either the FBI or the State Department.

Mr. DOYLE. By State Department you refer to the State Department of the United States of America?

Mr. ADAMS. I do.

Mr. DOYLE. Had you ever met that woman before?

Mr. ADAMS. I did.

Mr. DOYLE. As a member of the Communist Party?

Mr. ADAMS. No.

Mr. JACKSON. At the time of your expulsion did she represent herself to be a member of the Communist Party?

Mr. ADAMS. She did.

Mr. JACKSON. What was the name of that individual?

Mr. ADAMS. Helga Weigert.

Mr. JACKSON. Will you spell it, please?

Mr. ADAMS. Oh, Congressman, I couldn't begin to. It is a German name. Maybe the reporter could help us out?

Mr. TAVENNER. W-e-i-g-e-r-t.

Mr. ADAMS. That sounds about correct.

Mr. DOYLE. What year was that, please?

Mr. ADAMS. 1946.

Mr. DOYLE. She told you orally that you were expelled? Did she communicate that fact to you in California or some place else?

Mr. ADAMS. In California.

Mr. DOYLE. In San Diego?

Mr. ADAMS. Yes, I believe so, yes.

Mr. DOYLE. Was she at that time a resident of California, as far as you knew?

Mr. ADAMS. I couldn't say, but I think she was.

Mr. DOYLE. And to your knowledge was she at that time a member of the staff of the State Department of the United States?

Mr. ADAMS. That is simply what I suspect. To my knowledge, no. I had no knowledge except the thing added up to that.

Mr. DOYLE. Had you ever met her before?

Mr. ADAMS. I had.

Mr. TAVENNER. Was she married?

Mr. ADAMS. She was.

Mr. TAVENNER. What was her husband's name?

Mr. ADAMS. George Lohr.

Mr. TAVENNER. Was George Lohr the one who notified you that you were to be dropped from the Communist Party?

Mr. ADAMS. I must refuse to answer that on the grounds heretofore stated.

Mr. TAVENNER. Was George Lohr the head of the Communist Party in San Diego at that time?

Mr. ADAMS. I must refuse to answer that on the grounds heretofore stated.

Mr. TAVENNER. Do you know where George Lohr and Helga Weigert are now?

Mr. ADAMS. Well, I understand that George Lohr is a citizen of the United States, having been born in the east, returned to Germany as a very young child, came out of Germany after the advent of Hitler, and I read in the newspaper a few weeks ago where George and Helga had gone to Czechoslovakia, had fled behind the Iron Curtain, so-called.

Mr. TAVENNER. Will you tell the committee, please, all you know regarding the activities in the Communist Party of George Lohr in San Diego, if you know of any such activities?

Mr. ADAMS. Helga Weigert was never known to me to be a Communist. I have no compunction about testifying anything I know about her. On the grounds heretofore stated, I refuse to answer that question.

Mr. TAVENNER. I suggest the witness be directed to answer.

Mr. JACKSON. The witness is directed to answer.

Mr. ADAMS. The same answer, Congressman.

Mr. TAVENNER. Do you appear here as a witness pursuant to a subpoena served upon you?

Mr. ADAMS. Yes, counsel.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. You said in substance to the effect that one of your responsibilities as a member of the Communist Party was expanding the list of writers and readers of the Daily People's World, and to report news to the Daily People's World.

Mr. ADAMS. Yes, Congressman.

Mr. DOYLE. That was while you were an active member of the Communist Party in San Diego?

Mr. ADAMS. Yes.

Mr. DOYLE. To the best of your knowledge and belief at the time the Daily People's World was one of the publicity media and organs of the Communist Party in the United States, was it?

Mr. ADAMS. Yes, certainly.

Mr. DOYLE. And your answer is what?

Mr. ADAMS. Why, certainly.

Mr. DOYLE. What is your information, if any, you have as to whether there is a functioning party in San Diego at this date; I mean today?

Mr. ADAMS. Well, Congressman, I am in this position; if they had a Communist revolution tomorrow, I think Newsome would be the first man here put out of the way. I would be No. 2, though I have had no knowledge of the Communist Party's functions in San Diego since I was expelled from it.

Mr. DOYLE. That was in what month of 1946?

Mr. ADAMS. It was in the early part of 1946, and I could not pinpoint the month down.

Mr. JACKSON. I would have to take issue with your order of priority for extermination if it came tomorrow.

Mr. ADAMS. Well, Congressman, I think your political extermination would come much faster than Newsome's and mine.

Mr. JACKSON. That doesn't keep me awake too many nights.

Mr. ADAMS. I will hold a vote if you hold an elective office 10 years from now I will contribute 50 dollars to your political campaign.

Mr. JACKSON. Let's hope you and I are still alive 10 years from now, Mr. Adams.

Mr. ADAMS. I expect to be.

Mr. JACKSON. Proceed, Mr. Counsel.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Is there any reason why the witness should not be excused?

Mr. TAVENNER. No, sir.

Mr. JACKSON. The witness is excused from further attendance under the subpoena.

Mr. Doyle?

Mr. DOYLE. The other morning I called attention to the fact that as I entered the hall there was this yellow sheet and also one of these blue mimeographed sheets handed to me. The only indication thereon as to who might have had it mimeographed and distributed being the 30th District Young Democrats.

You recall I asked at that time if there was such a group in San Diego I would like to know. I have ascertained that there is such a group and with reference to this particular handbill which was handed to me outside of the door of the Chamber of Commerce meeting the first day of the session, I have been handed this statement signed by members of the official board, of the executive 30th District Young Democrats of San Diego, dated Tuesday, April 20, 1954:

The executive board of the 30th District Young Democrats wishes to make the following statement concerning their invitation to attend their meeting held last night at Carpenter's Hall. The preparation of the paper was without the approval of the board and the distribution of the invitation was without the approval of the executive board. The board members regret that the language used may have been misinterpreted.

(Signed) DERWENT CONLEE, *President.*

FLORA THOMAS, *Treasurer.*

BETTY NEUMAN, *Publicity Chairman.*

MORRIS SASKARY, *Parliamentarian.*

ZELLA CROWN, *Advisory.*

I think this, Mr. Chairman, as long as I raised the point and there has been some publicity about it, I would like to have it included in our record.

Mr. JACKSON. It will be included at this point in the record.

Mr. Counsel, who do you desire to call at this time?

Mr. TAVENNER. Mr. Lloyd Hamlin.

Mr. JACKSON. May we suspend for a moment?

Mr. TAVENNER. Yes.

(At this time a short recess was taken.)

Mr. JACKSON. The committee will be in order.

Mr. TAVENNER. I would like to call Mr. Wheeler.

TESTIMONY OF WILLIAM A. WHEELER

Mr. JACKSON. Will you raise your right hand, please, and be sworn?

Do you solemnly swear in the testimony you are about to give before this subcommittee you will tell the truth, the whole truth and nothing but the truth so help you God?

Mr. WHEELER. I do.

Mr. TAVENNER. Mr. Wheeler, what is your name?

Mr. WHEELER. William A. Wheeler.

Mr. TAVENNER. You are an investigator for the Committee on Un-American Activities?

Mr. WHEELER. Correct.

Mr. TAVENNER. How long have you been such an investigator?

Mr. WHEELER. Approximately 7 years.

Mr. TAVENNER. In the course of the performance of your duties did you serve a subpoena upon the last witness who was on the stand, Mr. Richard Adams, for his appearance here?

Mr. WHEELER. This particular subpoena, at my direction, under the direction of the chairman of the committee, was given to Mr. A. E. Jansen, chief of police of San Diego. It was served by the police department.

Mr. TAVENNER. Do you have the return of the subpoena?

Mr. WHEELER. I do, sir.

Mr. TAVENNER. I desire to offer in evidence, Mr. Chairman, and ask it be marked "Wheeler Exhibit No. 1."

Mr. JACKSON. It will be so admitted.

(The document above referred to was marked "Wheeler Exhibit No. 1" for identification and received in evidence.¹)

Mr. TAVENNER. That will be all, Mr. Wheeler.

Mr. JACKSON. Call your next witness.

Mr. TAVENNER. Mr. Lloyd Hamlin.

TESTIMONY OF LLOYD HAMLIN

Mr. JACKSON. Will you raise your right hand, sir?

Do you solemnly swear that in the testimony you are about to give before this subcommittee, you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. HAMLIN. I do, sir.

Mr. TAVENNER. What is your name, please, sir?

Mr. HAMLIN. My name is Lloyd Hamlin.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. HAMLIN. No, I am not.

Mr. TAVENNER. Do you desire counsel?

Mr. HAMLIN. No, sir.

¹ Retained in committee files.

Mr. TAVENNER. Mr. Hamlin, do you appear here pursuant to the provisions of a subpoena served upon you?

Mr. HAMLIN. I do.

Mr. TAVENNER. When and where were you born, Mr. Hamlin?

Mr. HAMLIN. I was born in Missouri in 1914.

Mr. TAVENNER. Where do you now reside?

Mr. HAMLIN. I now reside at 1807 East Westinghouse Street, in San Diego.

Mr. TAVENNER. How long have you lived in San Diego?

Mr. HAMLIN. I have lived in San Diego since 1942.

Mr. JACKSON. Mr. Hamlin, would you speak just a little louder, please?

Mr. TAVENNER. Prior to your coming to San Diego in 1942, where did you reside?

Mr. HAMLIN. I was residing in El Paso, Tex.

Mr. TAVENNER. How long did you live in Texas?

Mr. HAMLIN. Let's see. I lived there from 1938 until 1942.

Mr. TAVENNER. Mr. Hamlin, have you at any time engaged in work for a Government agency within the Communist Party?

Mr. HAMLIN. Yes, sir; I have.

Mr. TAVENNER. During what period of time were you so engaged in work?

Mr. HAMLIN. From the early part of 1945 until February of 1952.

Mr. TAVENNER. Where was that work performed?

Mr. HAMLIN. That work was performed primarily in San Diego and in the San Diego area.

Mr. TAVENNER. Before your employment for that purpose had you been affiliated with the Communist Party in any manner?

Mr. HAMLIN. No, sir; I had not.

Mr. TAVENNER. Will you tell the committee, please, what motivated you in taking the assignment which you have spoken of?

Mr. HAMLIN. Early in 1943 and 1944, when I was with the Naval Intelligence, I became acquainted with many of the Communist-published books on Marxism, and at that particular time I was convinced, after having read a few of those books, and making a very short study of communism, that communism was a real threat; that communism would become more and more a threat to the United States and to the world, and if there was anything that I could possibly do to help alleviate or to crush this ideology, that I would be willing to do so.

Mr. TAVENNER. So the access of Communist Party material to you had the effect of bringing you to the conclusion that you should fight it rather than to join it and advance it?

Mr. HAMLIN. Definitely, and that everyone should do it.

Mr. TAVENNER. What agency of the Federal Government was it that employed you to work within the Communist Party?

Mr. HAMLIN. Originally it was Naval Intelligence.

Mr. TAVENNER. How long did you work with Naval Intelligence?

Mr. HAMLIN. Something over a year, and then I was transferred to the Federal Bureau of Investigation.

Mr. TAVENNER. Were you working for the Naval Intelligence during any part of the time that you were a member of the party in San Diego?

Mr. HAMLIN. Yes, sir.

Mr. TAVENNER. At the time that you became interested in this subject, I believe you said you were in the Armed Forces.

Mr. HAMLIN. Yes.

Mr. TAVENNER. What branch of the service?

Mr. HAMLIN. Naval Intelligence.

Mr. TAVENNER. You were with Naval Intelligence at the time you read this material?

Mr. HAMLIN. Yes, sir.

Mr. TAVENNER. How long were you in the Navy?

Mr. HAMLIN. Oh, almost 3 years.

Mr. TAVENNER. During that period of time where were you stationed?

Mr. HAMLIN. Here in San Diego.

Mr. TAVENNER. Have you at any time testified in the Federal Court regarding your knowledge of Communist Party activities?

Mr. HAMLIN. Yes, sir; I did. I testified as a Government witness against the top Communists in California in February, 1952.

Mr. TAVENNER. Is that the case of United States against William Schneiderman and others?

Mr. HAMLIN. Yes, sir.

Mr. TAVENNER. In other words, to perform the work that you performed within the party, was it necessary for you to become a member?

Mr. HAMLIN. Yes, sir; it was.

Mr. TAVENNER. Will you tell the committee, please, briefly, when you become a member and such circumstances that you feel at liberty to disclose regarding your joining the Communist Party?

Mr. HAMLIN. I became a member of the Communist Party in May of 1945, upon the direct invitation of Morgan Hull, who was at that time country organizer of the Communist Party in San Diego.

Mr. TAVENNER. Were you assigned to any particular group or cell of the Communist Party?

Mr. HAMLIN. Yes, sir; I was assigned immediately to the Trade Union Club, I believe was the designation of it.

Mr. TAVENNER. Would you describe what you mean by the Trade Union Club of the Communist Party?

Mr. HAMLIN. This was a small group of individuals in the Communist Party who worked in industry, where they were members of trade union organizations. The general outline of procedure in this particular club was primarily from the standpoint of an educational discussion of current events and party ideology.

Mr. TAVENNER. How many composed the membership of that club?

Mr. HAMLIN. This club was very small and even remained as a club itself for only a short period of time. Actually, during this period of May and June, July, and possibly August of 1945, there was the reconstruction of the Communist Party from the Communist Political Association into the Communist Party again.

Mr. TAVENNER. At the time you first became a member in May 1945, was that the Communist Political Association, or was it the Communist Party?

Mr. HAMLIN. That was the Communist Political Association.

Mr. TAVENNER. How many months did it remain the Communist Political Association before it reverted to the former designation of Communist Party?

Mr. HAMLIN. Only a few months, and, as I remember, our San Diego County convention of the Communist Party was held in September, and at that particular time I know there were a number of speeches given by the topnotch Communists here in San Diego as to their chagrin at having been led astray by the Browder theory of communism and the definite exultation at being able to reorganize themselves into a revolutionary party again, a Bolshevik type of party, which would now be the Communist Party again.

Mr. TAVENNER. Do you have with you the original Communist Party card that was issued to you, or a photostatic copy of one?

Mr. HAMLIN. I believe there is a photostatic copy available. I do not have it in my pocket.

Mr. TAVENNER. Will you tell the committee, please, all that you can about the functioning of this trade union club to which you were first assigned?

Mr. HAMLIN. Well, actually, this particular club, as I say, was disbanded into an overall organization citywide. At that time most of the members of the Communist Party actually were meeting in one big session, so that our club was dispensed with as a unit or as a club and we then attended these several citywide meetings. It was not until a little bit later that clubs were again actually organized.

Mr. TAVENNER. How long did you remain a member of the Communist Party?

Mr. HAMLIN. I actually remained a card carrying member of the Communist Party in that sense of the word, which is very ambiguous, and some time I would like to go into that, up until July of 1950.

Mr. TAVENNER. Did you have any other type of membership than that of a carrier of a Communist Party card after 1950?

Mr. HAMLIN. Yes. There are a number of ways of being Communists.

Mr. TAVENNER. Possibly you should give us a full explanation of that now.

Mr. HAMLIN. If I may, very shortly. It is something that is very dear and near to my heart, inasmuch as there are many people in the United States today, and in San Diego as well, who are actually Communists, but who have never carried a Communist Party card, inasmuch as they are afraid at some particular time they may be indicted or may be called before committees of this type, and they want to be able at that time to say in the legal sense of the word which entails the carrying of the Communist Party card, "No; I am not a Communist."

However, these people are, in many instances, more ardent Communists than the so-called card carrying Communist.

Mr. JACKSON. May I ask the witness without reference to the names of individuals of that kind, do you personally know of such instances?

Mr. HAMLIN. Those are the people whom I am associated with here in San Diego. One of my particular assignments of the Communist Party here was to work with this type of individual, to work with front organizations, and with veteran organizations.

Mr. DOYLE. May I ask this: They may not have carried cards, but were they nevertheless members of the Communist Party, even though they didn't carry a Communist Party card with them, they nevertheless were members of the party?

Mr. HAMLIN. They are in all instances in their beliefs and their physical actions, in their contributions, financially and physically, Communist Party members, but legally they can say they are not members, as neither they nor the Communist Party desire that they carry Communist Party cards.

Mr. DOYLE. Do they attend Communist Party meetings?

Mr. HAMLIN. Secret meetings only.

Mr. JACKSON. Proceed, Mr. Counsel.

Mr. TAVENNER. You stated that you carried a Communist Party card until June 1950.

Mr. HAMLIN. May I correct you there?

Mr. TAVENNER. Yes.

Mr. HAMLIN. Actually, Communist Party cards were done away with, I believe, as early as probably 1947 or 1948.

Mr. TAVENNER. Yes.

Mr. HAMLIN. They were actually done away with.

Mr. TAVENNER. I understood you to say you got out of the Communist Party in February 1952. Then what is the significance of the date in 1950 which you gave as the time of membership in the party?

Mr. HAMLIN. In July of 1950 the Communist Party in San Diego—and this is the pattern throughout the United States, I believe—deemed it advisable to dispense with party clubs and party organizational meetings as such. I was called to discuss this with two individuals in July of 1950, and at that particular time one of the individuals told me that it was necessary and important that the Communist Party have friends and people that they could count on who were not actually being considered as card-carrying Communist Party members in order that they could have help from these individuals, and from that particular time on I was to consider myself not as a card-carrying Communist, but that I would have direct contacts from a party person who was named at this particular time, that I would continue to pay in such moneys as I had previously paid into the Communist Party, but that those moneys would not be considered as dues and a sustaining fund, as they had previously been. In other words, it was my impression at the particular time that I, like a great many other Communist Party people, was being asked to go underground.

Mr. TAVENNER. This was a part of the Communist plan, to go underground with this organization?

Mr. HAMLIN. That was, of course, not definitely stated at that particular time, may I emphasize that. However, it has been known, and is known at this particular time, that that was a definite pattern throughout the United States as far as the Communist Party was concerned.

Mr. TAVENNER. Who was it that gave you this instruction?

Mr. HAMLIN. Mrs. Celia Shermis and Verna Langer.

Mr. TAVENNER. Will you spell those names for us?

Mr. HAMLIN. Celia Shermis, S-h-e-r-m-i-s, and Verna L-a-n-g-e-r.

Mr. TAVENNER. What positions did they occupy at that time in the Communist Party in San Diego?

Mr. HAMLIN. Mrs. Shermis was chairman of our club, which at that time was the Linda Vista Club, if I remember correctly, and Mrs. Langer, I believe, was the secretary-treasurer.

Mr. TAVENNER. That took place in 1950?

Mr. HAMLIN. In July, I believe, if I remember correctly, yes, sir.

Mr. TAVENNER. Well, later in your testimony I will return to that general subject of your operations and your knowledge of Communist Party activities from 1950 to 1952.

But let us return now to the beginning of your work in the party in this area. I hand you a card made out in the name of Lloyd Hamlin by the Communist Political Association bearing No. 96270, and I will ask you if that is a photostatic copy of the card which was issued you when you became a member, or at some later period?

Mr. HAMLIN. Yes, sir. This appears to be one of the first cards that I was issued, a photostatic copy of one of the first cards I was issued.

Mr. TAVENNER. I believe at this point it would be well for you to describe to the committee what the Communist Party set up was, and organizational set up was in this area when you became a member. But just a moment.

Do you want to break at this time, Mr. Chairman?

Mr. JACKSON. Yes, I think it might be a good idea. The committee will stand in recess until 10:15.

(At this time a recess was taken.)

Mr. JACKSON. The committee will be in order.

Proceed, Mr. Counsel.

Mr. TAVENNER. Mr. Hamlin, the unanswered question is will you please describe to the committee the organizational setup of the Communist Party in San Diego during the period of your membership?

Mr. HAMLIN. The organization was set up in San Diego, I believe, like all county organizations in the Communist Party are set up. We have a county central committee, or a county executive board, that is, so-called, elected at county conventions. These county conventions are supposed to be once every 2 years, and as I recollect, but in some instances this may be changed by the national setup.

After your county committees, then you have Communist Party cells or clubs. From the bottom up then your county committee is responsible to your State organization. The State organization in return, I understand, is in most instances subject to the rules and regulations that are handed down by districts, and the districts then go to the national committee.

Mr. TAVENNER. You have told us that you were a member of the Trade Union Club only a short period of time.

Mr. HAMLIN. That is correct.

Mr. TAVENNER. What was the next group of the Communist Party to which you were assigned?

Mr. HAMLIN. The next official group or club that I was assigned to was the East San Diego Club, I believe.

Mr. TAVENNER. How many composed the membership of that club?

Mr. HAMLIN. Offhand I would say some 12 or 15 persons.

Mr. TAVENNER. Can you tell the committee who the leading members of that club were, that is, those who occupied some position in the club, and also name any other members of the club that you can recall?

Mr. HAMLIN. Well, Lillian Hunt was for a time chairman of that particular club, as I remember. Joseph Langer was a member of the club.

Mr. TAVENNER. Do you recall whether Joseph Langer held any position with the club?

Mr. HAMLIN. I believe he was dues and membership chairman or director, as they sometimes are called. Benjamin Haddock was a member of that club.

Mr. TAVENNER. Just a minute.

Mr. Chairman, Benjamin Haddock testified before the committee in Washington within the past 30 or 60 days and admitted his former Communist Party membership in San Diego, and told the committee the circumstances under which he left the party and that he had fully and completely broken with the party. The witness fully cooperated with the committee.¹

Mr. JACKSON. Thank you.

Mr. TAVENNER. Very well, if you will proceed.

Mr. HAMLIN. Let's see. Nathan Zahalsky was a member of that club for a short period of time.

Mr. TAVENNER. Do you recall a person by the name of Margaret Garth?

Mr. HAMLIN. Margaret Garth was a member of the club. Robert Watrous.

Mr. TAVENNER. Will you spell the last name?

Mr. HAMLIN. W-a-t-r-o-u-s.

Mr. TAVENNER. How long were you a member of that group?

Mr. HAMLIN. Up until the early spring of 1946, I believe.

Mr. TAVENNER. Will you tell the committee, please, what the general functions of that group were, what it attempted to do?

Mr. HAMLIN. Well, that group was organized and set up on what is known in the party as a neighborhood basis. The members of the club are supposed to live in the particular neighborhood or area, and they in turn are supposed to work on neighborhood problems, or problems that are particular to their certain area.

Mr. TAVENNER. I am not certain whether I interrupted you before you completed your statement of membership of that club.

Mr. HAMLIN. Well, let's see. It has been some time ago.

There were other members, of course, in the club. I don't remember all the names at this particular time. Perhaps later I will be able to recall.

Mr. TAVENNER. Do you recall a person by the name of Lee Gregovich?

Mr. HAMLIN. Lee Gregovich was a member of the East San Diego Club; yes, sir.

Mr. TAVENNER. Did you hold any particular position in that club at any time?

Mr. HAMLIN. Toward the latter part of my stay in this club, yes, I was for a very short time, I believe, educational adviser.

Mr. TAVENNER. Where did the club meet?

Mr. HAMLIN. The club met generally in the home of Lillian Hunt on Highland Avenue in East San Diego, just off of El Cahone. Occasionally we would meet in the home of Bob Watrous and the home of Lee Gregovich occasionally.

Mr. TAVENNER. You stated you were a member of that club until 1946?

Mr. HAMLIN. Approximately; yes, sir.

¹ See Investigation of Communist Activities in the State of California—Part 2.

Mr. TAVENNER. What period during 1946?

Mr. HAMLIN. As I remember, the early part of 1946, the spring, perhaps.

Mr. TAVENNER. Were you then transferred to another group of the Communist Party?

Mr. HAMLIN. Yes, sir, I was transferred by George Lohr, who was at that time county organizer of the San Diego County Communist Party, to what he deemed the special club.

Mr. TAVENNER. Special club?

Mr. HAMLIN. Yes.

Mr. TAVENNER. What was the nature of this special club?

Mr. HAMLIN. The special club, according to George Lohr, was made up, and the origin of the club was deemed necessary to include those persons in the Communist Party of San Diego who were working primarily in front organizations, or who had positions in San Diego that made it necessary that their identity be kept secret, insomuch as they were Communists, not only from the general public, but if possible from the Communist membership itself.

Mr. TAVENNER. And that was for security reasons?

Mr. HAMLIN. Both inside and outside the party; yes.

Mr. TAVENNER. Why was it necessary to have this special club or group and to have its membership kept secret from other Communists?

Mr. HAMLIN. The Communist Party members from the top leader down to the lowest echelon Communist trusts no one, and there is a constant feeling that perhaps one of their own members is going to let the public know that they are Communists, so, therefore, there is always, as is necessary in all conspiracies, this thing of secret organizations into the organization.

Mr. JACKSON. In light of the number of people the FBI was able to infiltrate within the party, it appears to be justified.

Mr. HAMLIN. It is justified, sir.

Mr. TAVENNER. You were assigned, as I understand, to that special group?

Mr. HAMLIN. Yes, sir.

Mr. TAVENNER. Did you gain any position of prominence within that group?

Mr. HAMLIN. Within a very short period of time I was made chairman of that particular group.

Mr. TAVENNER. Chairman?

Mr. HAMLIN. Yes.

Mr. TAVENNER. How many members did you have in that group at that time?

Mr. HAMLIN. There were a dozen or so, I would say, between a dozen and 15. This number, of course, fluctuated from time to time.

Mr. TAVENNER. How long were you a member of this special or secret group of the Communist Party?

Mr. HAMLIN. This particular group changed its name from time to time. It was originally, as I recall, known as the special group, and it was then known as the professional group, and later they changed the name to the Morgan Hull Club, and the club was in existence until June of 1948, I believe.

Mr. TAVENNER. During this period of the change of names, did it still maintain its same characteristics of security?

Mr. HAMLIN. Its same identity, yes.

Mr. TAVENNER. Will you give the committee, please, the names of the officers of this club during the period that you were a member of it, this secret club, the one of which you were chairman for part of the time?

Mr. HAMLIN. Well, let's see. Ray Morkowski was originally the chairman of that particular group.

Mr. TAVENNER. Now, just a minute. Will you give us such identifying information as you can regarding Ray Morkowski?

Mr. HAMLIN. Ray Morkowski is at the present time not living in the San Diego area. He formerly lived in Linda Vista, was a functionary in the CIO council, I believe, at one time, and president of the council, and quite a figure in labor organizations in San Diego, and the CIO particularly.

Mr. TAVENNER. Because of his prominence in that field it was necessary to secure his identity?

Mr. HAMLIN. Yes.

Mr. TAVENNER. How do you spell his last name?

Mr. HAMLIN. M-o-r-k-o-w-s-k-i.

Mr. TAVENNER. Very well. If you will give us the names of any other officers that you can remember.

Mr. HAMLIN. Jeff Boehm was a member of our club, and formerly worked for the San Diego Journal, I believe, as a reporter. He lived on Titus Street in San Diego. He is not now living in San Diego.

Mr. TAVENNER. Do you recall what position he held in this secret group?

Mr. HAMLIN. Jeff was at times educational adviser, and at one time was educational adviser for the whole county of San Diego, directly working under the county committee.

Mr. TAVENNER. Let me interrupt you.

Mr. JACKSON. Counsel, may I interject at this point? In any instance where the witness has personal knowledge of subsequent separation from the party, if there are such instances, that it would be well to state that.

Mr. HAMLIN. I will so state.

Mr. JACKSON. Thank you.

Mr. TAVENNER. I would like to interrupt you at this point and ask you to tell the committee what the chief functions of this group were; what were their projects; what were they attempting to accomplish?

Mr. HAMLIN. The chief project of this group was, as I have enumerated before, that of working in front organizations directly under the sponsorship of, of course, the Communist Party, and me indirectly.

Mr. TAVENNER. Now, do you know of any particular activity of the two persons that you have named so far, Ray Morkowski and Jeff Boehm?

Mr. HAMLIN. Ray Morkowski, as I have enumerated, was of particular importance to the Communist Party because of his labor contracts and his very, very active participation in the labor movement, from the period of, oh, possibly 1945 up until 1946, 1947 possibly.

Jeff Boehm was very active from its inception in the Progressive Party. Jeff Boehm was also active in the American Veterans' Committee, of which I was county chairman.

Mr. TAVENNER. Now, will you give us the names of any other officers that you can now recall?

Mr. HAMLIN. Lynne Ackerstein was a member of this club. Lynne was, from 1948 until the time she left San Diego, 1950, I believe, head of the Independent Progressive Party here. Prior to her entrance in the Communist Party she was an employee of the Federal Housing Administration in the Linda Vista area.

Mr. TAVENNER. As far as you know, she was not a member of the Communist Party at any time that she was working for the Federal Housing Administration?

Mr. HAMLIN. Only for a very short period of time. She discussed that with me prior to her becoming a Communist, and she definitely wanted to get into the Communist Party and wanted to get out of her employment in the Housing, because it stifled her, as she said, from her political motives, and she wanted to know particularly if the Communist Party might be able to help her obtain a position so that she could make a livelihood.

Mr. TAVENNER. Why was it necessary that she be assigned to this secret group of the Communist Party?

Mr. HAMLIN. Because of her work in the Independent Progressive Party.

Mr. TAVENNER. Well, if you can give us the names of any others who occupied official positions, will you please do so?

Mr. HAMLIN. Well, Ernestine Gatewood was also a member of this club and was for a period of time secretary of the Independent Progressive Party.

Mr. TAVENNER. Do you know of any other activities of his in the Communist Party?

Mr. HAMLIN. Of hers.

Mr. TAVENNER. Of hers, rather.

Mr. HAMLIN. Activity in the Communist Party. She was quite active in the propagandizing and agitating of the Negro people from the standpoint of the Communist Party.

A. C. Rogers was a member of this club, and A. C. Rogers is a rather well known person in San Diego from way back in the thirties I believe, having held a number of positions in the old labor council a one time on the administrative forces of the Federal Housing Administration. I believe it was called something else at that particular time. He was a figure in political circles.

Mr. TAVENNER. Wasn't he the chairman or the head of the Central Labor Council at one time?

Mr. HAMLIN. Yes; he was.

Mr. TAVENNER. And it was because of this prominence that he was in this secret group?

Mr. HAMLIN. That is right. Might I add that the work of such individuals as were in this club, particularly to the Communist Party is in their not being known generally in public as Communists, because their work would be seriously handicapped, of necessity, if they are known by the public.

If I might interject here a compliment to the public and say that the public generally does not cooperate if and when they know who is a Communist and who is not by at least attempting to isolate them and making it difficult for them to work.

Mr. TAVENNER. Very well. Can you recall the names of any others?

Mr. HAMLIN. James Toback was a member of our particular club. James also held a high position of trust with the Communist Party, inasmuch as for a number of years he was the person designated by the county organizer and the county committee to collect donations from the so-called angels of the Communist Party in San Diego.

Mr. TAVENNER. Do you recall the names of others?

Mr. HAMLIN. Wilma Crittenden was a member of this group for a period of time until she left San Diego. I am not sure of her position. It might have been a copyreader or reporter for the San Diego Union or Tribune, I am not sure which.

Mr. TAVENNER. And, of course, being identified with the press it was necessary that her identity be kept secret.

Mr. HAMLIN. That is right.

Mr. TAVENNER. Can you give us the names of others?

Mr. HAMLIN. Paul Sleeth was later on a member of this particular club. However, there was no particular reason why Paul was put in this club. This was at a later period. I might say, when people were being put into the club without any particular reason, because Paul never had a real important job in the Communist Party, but was usually assigned to so-called foot work, passing out leaflets, and things of that type.

Mr. TAVENNER. Can you identify others?

Mr. HAMLIN. Those are the particular names I remember now. It is possible I may remember some a little later on.

Mr. TAVENNER. Were you acquainted with a person by the name of Milton Lessner?

Mr. HAMLIN. Milton Lessner was a member of this club, as was Mrs. Lessner, for quite a period of time. In fact, we met at their home in the Bay View Terrace housing project quite often.

Mr. TAVENNER. Do you recall in what business Milton Lessner was engaged?

Mr. HAMLIN. Mr. Lessner is engaged in the Superior Upholstery, or Seat Company, on Park Boulevard here in San Diego.

Mr. TAVENNER. He appeared as a witness here yesterday and stated that he was also during part of this period of time a probation officer in the probation department of the city of San Diego. Do you recall that?

Mr. HAMLIN. Very vaguely; not from any particular important angle. He was also, I believe, an official in the housing project at one time. Just what position he held I do not know.

Oh, I am sorry. Lolita Gibson was quite an important person in our organization, inasmuch as she was dues and membership director, I believe, an ardent Communist.

Mr. TAVENNER. Do you know whether she was known by any other name?

Mr. HAMLIN. Her maiden name was Lolita Bunyard, and she later married Howard Gibson. I don't remember the date of that.

Mr. JACKSON. Was Howard Gibson known to be a member of the Communist Party?

Mr. HAMLIN. Howard Gibson has told me, after he returned from the war, the last World War, which would have been about 1944 or 1945, along about that time, that he was formerly a member of the Communist Party, but that he did not desire to return as an actual

member of the Communist Party for legal reasons that I have already set forth. Howard Gibson is a very ardent Communist, met with the professional club on a number of occasions, and is known throughout the party as an expert on Marxism and materialistic dialectics.

Mr. TAVENNER. Can you recall the names of any others?

Mr. HAMLIN. Not at this time. The names escape me. There were a number of other people in this particular club; I am sure.

Mr. TAVENNER. Were you acquainted with a person by the name of Louis Pollack?

Mr. HAMLIN. Yes. Mr. Pollack was a member assigned to this club, attended at least one meeting, and I believe—no, I better not say, because I am not sure what I was going to say. Yes; Mr. Pollack was a member of this club.

Mr. JACKSON. The meeting to which you have reference was a closed meeting of the Communist Party?

Mr. HAMLIN. Definitely; yes, sir.

Mr. TAVENNER. Did you have any occasion at any later date or at any time to see him at any other meeting of the Communist Party besides the one you have described?

Mr. HAMLIN. A closed meeting?

Mr. TAVENNER. Yes.

Mr. HAMLIN. No. May I interject a word here, please. Mr. Pollack again is in the category, and I can base this on facts, of an individual who did not wish his identity known as a Communist. Mr. Pollack made that known to the county committee, of which I was a member, early in 1947 at the registration period of time. At that time he and Mrs. Pollack were discussed quite at length in the county committee, and it was decided because of their request to be dropped actual members of the Communist Party, that they be dropped. There was no, may I point out, discussion in the county committee to the effect that either Mr. or Mrs. Pollack had disagreed with party principles, but primarily from the standpoint that they were afraid of being uncovered and, therefore, did not wish to remain card carrying Communists.

Mr. TAVENNER. When was the action taken by the county committee dropping them as party members?

Mr. HAMLIN. Early in 1947.

Mr. TAVENNER. 1947?

Mr. TAVENNER. Yes, sir.

Mr. TAVENNER. Do you recall a person by the name of Jack O'Brien?

Mr. HAMLIN. Jack and his wife, Blanche O'Brien, who was originally Blanche Potompkins, were both members of this group. We met in their home quite frequently. Blanche was originally a Communist Party contact in the United Office and Professional Workers Union here in San Diego County, and in the city. Jack was a physicist at the Ryan Aeronautic plant. They are not now living in San Diego.

Mr. TAVENNER. Were the members of this club dues paying members in the same manner in which other persons were dues paying members of the Communist Party?

Mr. HAMLIN. Yes, they were, inasmuch as at meetings, of course Communist Party meetings, dues were collected. These dues were put into a book by—and peculiarly enough in San Diego, at least in our

particular club, we identified people by numbers and not by aliases—and these dues, were of course, credited to their accounts by certain numbers that were designated to them.

Mr. TAVENNER. To whom were these dues paid, do you know?

Mr. HAMLIN. Lolita Gibson, most of the time, was our dues collector.

Mr. TAVENNER. What disposition did she make of the dues collected?

Mr. HAMLIN. These were then turned into the county organizational secretary, who was Nancy Rosenfeld Lund, and from there they were supposed to have been disbursed to the State in a certain amount and the county kept a certain amount. The breakdown on that I am not positive of.

Mr. TAVENNER. Do you know anything of special donations of contributions to the Communist Party by members of this special or secret group of the party?

Mr. HAMLIN. There were always constantly special donations. You paid dues based upon the amount of income you had, which is fixed by the national Communist Party, and appears on most of the original cards that were handed out. In addition to that, the individual club, the individual county, may have certain areas to cover by contributions.

As an example, we in our club made an individual contribution of \$1 each, in some cases more than that, what was known as a county sustainer. This money all went to sustain the county organizer, to buy special literature, put out propaganda, and things of that type.

Mr. TAVENNER. Do you know why you were transferred to this special group of the Communist Party?

Mr. HAMLIN. To become its chairman.

Mr. TAVENNER. That decision was made before you were transferred to that group?

Mr. HAMLIN. Yes.

Mr. TAVENNER. Why were you transferred out of that group?

Mr. HAMLIN. In 1948, I believe June, Bernadette Doyle, who had been sent to San Diego as the county organizer early in 1948, caused quite an uproar in this particular area during the period of the county convention. That I am sure we will go into later. However, from a very highhanded standpoint, a very dictatorial type of thing, she broke up the clubs at her discretion, and also from the standpoint, as was stated, for security reasons, into very small mobile units. This club, of course, was too large and unwieldy, so it was broken up.

Mr. TAVENNER. As a result of that upheaval within the Communist Party, were you assigned to another group?

Mr. HAMLIN. Yes.

Mr. TAVENNER. What was that group?

Mr. HAMLIN. That group was called the Linda Vista group.

Mr. TAVENNER. How many members composed that group?

Mr. HAMLIN. Oh, there were some 8 or 10 members of that group. However, the group itself was supposed to be broken down into 2 sections of about 5 members in each section. This, ironically, was not done systematically. Occasionally, it was done.

Mr. TAVENNER. What was the chief function of this group?

Mr. HAMLIN. Of the Linda Vista group?

Mr. TAVENNER. Yes.

Mr. HAMLIN. The Linda Vista group was set up, as I designate before, supposedly from the standpoint of party organization on neighborhood basis. However, peculiarly enough, although we were called the Linda Vista Club, very seldom did we meet in Linda Vista until a much later period of time. Our meetings were held, many of them, in East San Diego and at the home of David Starcevic and his wife Miriam. This was also a source of argument between David Starcevic and our county organizer, which became quite amusing many times, as to why we were called a Linda Vista Club and met at their home at East San Diego, and many of the contradictory issues that were promoted, because the party leader to instigate rigid security measures did cause disbelief and upheaval in the Communist Party here in San Diego.

Mr. TAVENNER. Will you speak just a little louder, please?

Mr. HAMLIN. I am sorry.

Mr. TAVENNER. Will you give the committee, please, the names of the officers of this club, the Linda Vista Club?

Mr. HAMLIN. The officers of the Linda Vista Club were at inception Celia Shermis, chairman; Verna Langer, I believe, was du secretary, membership; Harry Shermis, I believe, functioned for period of time as the educational director, and the P. W. director was another young man, whose name escapes me for the moment. He is not living in San Diego now. He moved to New York.

Mr. TAVENNER. What do you mean by P. W. director?

Mr. HAMLIN. That is the People's World, the west coast Communist newspaper, and is a must in Communist circles insofar as reading and using as discussion material, and things of that type.

Mr. TAVENNER. Can you give us the names of any other members of that group?

Mr. HAMLIN. Well, let's see. There was David and Miriam Starcevic, Verna Langer, Harry and Celia Shermis, Jeff Boehm was a member for a short period of time until he moved away.

Mr. TAVENNER. How long were you a member of this group of the party?

Mr. HAMLIN. Up until the time I was told not to consider myself a card-carrying Communist any longer. That was in July 1950.

Mr. TAVENNER. And that was the time you told us about earlier your testimony when you were split up into small groups?

Mr. HAMLIN. That is right.

Mr. TAVENNER. For underground purposes?

Mr. HAMLIN. That is right. May I interject another thing here? John Carpadakis was an oldtimer in the Communist Party, was member of the Linda Vista Club, and was for a short period of time more or less pushed into the position of chairman of the club.

Mr. TAVENNER. I think while we are narrating your general experience in the Communist Party, that you should begin here again in 1950 and tell what you did after that period of time when you were advised by Shermis that you would no longer be an open card-carrying member.

Mr. HAMLIN. From that period of time, as was designated at that time, Verna Langer was to be my party contact. I was to continue with my work in the Independent Progressive Party, as I had been working; I was at that particular time treasurer of the Independent

Progressive Party, and if at any time the party had information to convey to me, or I had to them, I was to carry on that conveyance through Mrs. Langer. Mrs. Langer came to my home almost every Sunday, inasmuch as she brought the People's World to me, which in turn delivered to a particular section of Linda Vista, and we had a number of discussions about party policy and what not, during that period of time.

Also I passed to Mrs. Langer periodically, about once a month, the same amount of dues and contributions that I had been paying.

Mr. TAVENNER. This made your ability to observe the activity of the other Communist Party members more difficult from that time on, did it not?

Mr. HAMLIN. It was told to me at the time that Mrs. Langer and Mrs. Shermis talked with me that—and this was rather, appeared to be confidential sort of thing—that they were telling me, although they may have told other people the same thing—that one of the reasons this was necessary was in order that other Communist Party members would no longer know on any basis who was a Communist and who was not, and whether there were Communist Party meetings or any functions of the Communist Party, and that under no circumstances was I, as an individual, to discuss Communist Party membership; that is, whether an individual is still a Communist or not, with any person that I had known formerly to be a Communist.

Mr. TAVENNER. This was all the part of the underground system the Communist Party adopted at that time?

Mr. HAMLIN. I believe it was quite nationwide, yes.

Mr. TAVENNER. Did you have personal contact with other members of the Communist Party after this plan was put into effect?

Mr. HAMLIN. Constantly, yes, in my activities in the Independent Progressive Party, and other activities, and meetings.

Mr. TAVENNER. Now, that situation continued up until the time you left the party?

Mr. HAMLIN. Yes, up until—let's see, I appeared in Los Angeles in February, and I believe about as late as January there was a meeting called by Laura Stevenson, at which a man by the name of Stevens, who was head of the Independent Progressive Party, and Mrs. Juanita Keiser were present, at which time they felt that through manipulation they had obtained out of Los Angeles that it was possible I might be a witness for the Government, and, therefore, Stevenson, Laura Stevenson, asked me to please resign as treasurer of the Independent Progressive Party, which, of course, I did.

Mr. TAVENNER. Were any of the people that you have just mentioned, the two Stevensons and Keiser, known to you to be members of the Communist Party?

Mr. HAMLIN. Laura Stevenson, of course, is a member of the Communist Party. Juanita Keiser is an individual who has sanctioned the workings and helped with the efforts of the Communist Party for a long, long time, but who told me personally at one time that she could never join the Communist Party as an actual member inasmuch as she didn't want to subject herself to the rigid discipline that they adhered to.

Mr. TAVENNER. You spoke of Laura Stevenson.

Mr. HAMLIN. Laura Stevenson.

Mr. TAVENNER. You also mentioned her husband.

Mr. HAMLIN. No.

Mr. TAVENNER. I think we should make the record plain if he was not a member of the Communist Party to so state.

Mr. HAMLIN. Arthur Stevens is an individual who came to San Diego the latter part of '48, possibly the early part of '49, a person who has been working in the Independent Progressive Party as its chairman from that period of time. He was also quite active in the San Diego Peace Forum.

Mr. TAVENNER. My question was whether or not he was known to you to be a member of the Communist Party?

Mr. HAMLIN. No; not a known Communist to my knowledge.

Mr. TAVENNER. Not a member of the party?

Mr. HAMLIN. That is right.

Mr. TAVENNER. I want the record to show that.

Mr. HAMLIN. Definitely; surely.

Mr. TAVENNER. Why was it that they suspected that you would be used as a witness in the trials? They must have known of your undercover activities in the party.

Mr. HAMLIN. No. That was due to information that had come forth in the indictment that was set forth in Los Angeles.

Mr. TAVENNER. I see. That occurred after the indictment?

Mr. HAMLIN. Yes.

Mr. TAVENNER. In other words, your identity in the Communist Party had not been disclosed, that is, your identity as a person working for the Federal Bureau of Investigation was not disclosed until it was necessary for you to testify in connection with the case against Schneiderman and others in the Federal Court?

Mr. HAMLIN. That is right; not to my knowledge.

Mr. TAVENNER. You have told the committee that back during the period that you were in this secret group, sometimes referred to as the professional cell of the Communist Party, that various front operations were undertaken, that is, work in various front groups was undertaken by various Communist Party members, and you indicated you have had some experience in those mass organizations yourself. I would like you to describe them, first your own activities and what the Communist Party endeavored to get you to do in connection with front activities.

Mr. HAMLIN. The first organization that was controlled by the Communist Party here in San Diego, in which I was given a job, was the Spanish Refugee Appeal, or better known legally as the Joint Anti-Fascist Refugee Committee. George Lohr came to my home one evening and told me that Lucia Batt at that time, who later became Lucia Buchanan—

Mr. TAVENNER. Let me interrupt you at this moment.

With the Chairman's approval, I would like to suggest that the witness not mention in the course of his testimony the names of persons in these front organizations unless they were known to him to be members of the Communist Party, because the front organization, by its very name, indicates that it means a group of people including Communists but not all Communists who are engaging in a particular project.

Mr. HAMLIN. Yes. And may I add to that in many instances from personal living examples and I know that definitely to be the case, that Communist-front organizations primarily, and I might say in most instances, are made up of a great many innocent people, people who do not know at that particular time what the essence of the organization and the attempts that the organizations are making.

Now, there is a difference. There are certain people who do not now, to begin with, but who later on, because of their very existence over a long period of time, cannot help but know what these organizations are doing.

I would like to differentiate between the type of person who gets out quickly when they know, and the person who still remains after they know.

Mr. JACKSON. I think what counsel suggests is a wise precaution, and if you will, during the course of your subsequent testimony, identify only those by name who are known to you as members of the Communist Party, or were so known to you.

Mr. HAMLIN. I will. Shall I continue?

Mr. TAVENNER. Yes.

Mr. HAMLIN. George Lohr at this particular time told me that Lucia Batt was unable to continue with her job as executive secretary of the Joint Anti-Fascist Refugee Committee, and that the job was open; he would like for me to take the job as the executive secretary of this committee, which I did.

The primary purpose of the Joint Anti-Fascist Refugee Committee, which I believe in part of 1946 and 1947 was investigated by our Congress and has been cited as a subversive organization, the primary purpose of the branch office in San Diego was to collect funds, which I during the time of my work with it transferred to a woman in Los Angeles who was head of the Los Angeles and southern district office.

Our other purpose in having this particular organization in San Diego was to influence the public, if possible, and individuals who were accessible on the problems of the Spanish refugees and the Spanish Republicans who were, of course, fighting against the Spanish regime at that time.

This organization, of course, had as its primary sponsor the Abraham Lincoln Brigade, which fought in Spain. We gave at least one large program to raise funds in the Russ Auditorium, and we at one time had a great many notable people in particular as sponsors.

Mr. TAVENNER. To what extent was the Communist Party responsible for these various courses of conduct?

Mr. HAMLIN. Nothing that I did as executive secretary of the Spanish Refugee Appeal for a period of some almost a year was done without first discussing it with George Lohr, the head of the Communist Party, and adhering to his dictation to the letter. That was the reason I was executive secretary of the committee.

Mr. TAVENNER. Were there any other officials of the Communist Party in it?

Mr. HAMLIN. As I said, Lucia Batt was for a time helping out, and that is the purpose—and may I say here, if I may digress for a moment, that the Communist Party in its front organizations, or in those organizations that it controls, or at least heavily influences, never makes the

mistake of having too many Communist Party members in the organization. Organizations can be controlled if the individuals working in them know how it is to be done with very few Communists.

Actually, for most of the time that I worked as executive secretary in the Spanish Refugee Appeal I was actually the only Communist Party member, card carrying Communist Party member in the organization. I would like to qualify that.

Mr. TAVENNER. The committee in the past has investigated the ultimate disposition of some of the funds raised by this organization. Will you tell the committee how much was raised during the period that you were prominently connected with it, if you know.

Mr. HAMLIN. Well, I knew at the time. There has never been a reason why I should remember it particularly, and I don't remember the exact numbers. It was in the thousands of dollars inasmuch as—let's see, I believe I paid myself a salary of \$200 a month, so you can imagine about how much we raised over a period of years with sums of sizable amounts going to Los Angeles.

Mr. TAVENNER. That brings up another question. The committee has found in some areas of the country, particularly in the field of labor, that the Communist Party paid its functionaries little or nothing for their work, but they got them assigned to rather lucrative positions in various union setups where they were paid substantial salaries, and the union, without knowledge that it was paying the salary of an officer of the union who was likewise performing duties of a Communist Party functionary, was nevertheless helping support the Communist Party.

Mr. HAMLIN. I could talk for hours on that particular subject, inasmuch as I was at least in name working for the Communist Party. Ironically enough, the Communist Party doesn't pay salaries, although the Communist Party ostensibly is for shorter working hours and higher wages for the working class of people, that isn't a reality believe me, after some 7 years of experience. The Communist Party when you are working directly under their sponsorship says to you "You can have such and such salary, which is determined primarily on how much you have to have to live, but we don't pay it to you. We can't afford to take the funds out of our coffers to pay you," so you have to get out and collect the money yourself, and you pay it to yourself from such and such organization.

As a concrete example, if you wish, I could tell you about the recruitment and job getting of Lynne Ackerstein, whom I mentioned a few moments ago as the chairman of the Independent Progressive Party.

Prior to the time that she was a Communist but wanted to be, I had a number of discussions with her as to the fact that she wanted to become a Communist, and that she wanted a job, so she could leave her present employment at that particular time in the Federal Housing office, and one of the crying needs then by the Communist Party was a person to help me and to help the Communist Party with its clerical work, its mimeographing of leaflets, things of that type that I was constantly working in, and we did not have manpower to do it.

So after a discussion with the county organizer it was determined that perhaps it would be a good idea to place Lynne, after becoming a Communist Party member, in the position of chairman of the Inde

endent Progressive Party, which job would not take all of her time, as she could then have funds collected through the Independent Progressive Party, which would pay her a salary, but at the same time she could do a lot of work for the Communist Party. It was accomplished very nicely.

Mr. TAVENNER. That is exactly the same type of illustration that the committee has received before.

Now, what other mass organizations or front organizations did the Communist Party take an active part in?

Mr. HAMLIN. One of my earliest assignments by George Lohr as Communist was that of working with veterans' organizations. There was a new veterans' organization inaugurated in San Diego about the time I was given this assignment known as the American Veterans' Committee.

May I say before I go further that the American Veterans' Committee was never, to my knowledge, nor could it be classified as a front organization, because its inception was not originated by the Communist Party. Its inception, by the way, was based upon sound fundamental progressive ideas by a man by the name of Bolté in the east, who to my knowledge, and no one else's I suppose, by any stretch of the imagination, could be called a Communist.

Mr. TAVENNER. Will you spell that name, please?

Mr. HAMLIN. B-o-l-t-é. He was the national chairman of the American Veterans' Committee. What I am trying to say and make clear is while the American Veterans' Committee was predominantly in California and actually controlled in California, at least it was not a Communist Party front organization; I want to make that clear.

Early in the inception of the American Veterans' Committee in San Diego, Calif., the Communist party, under the sponsorship of George Lohr, the county chairman, met in my home and we discussed the issue, which is still, I believe, an issue in the Communist Party in other fields, particularly the political field, as to whether or not it was important to infiltrate young veteran organizations that were springing up at that particular time, or whether it was more important to infiltrate into the older established veteran organizations.

I remember that Jimmy Toback, as an example, who has already been named in the committee, appeared before the committee, was of the opinion that it was better to infiltrate into the older organizations because they were already established and a great deal of good could be done, although much hard work would be before us.

But due to the predominance of opinion by the other members here, including myself, it was decided that we should infiltrate, at least try to infiltrate into the younger veterans' organizations and do what we could to influence them.

There is documentary evidence from newspaper clippings that I was elected chairman of the American Veterans' Committee on a commonwealth basis after only a few of its meetings here in San Diego, and may I say that was due directly to the influence of other Communist Party members who made it possible for the vote to be cast in my favor, because at this meeting in my home, which was chaired by George Lohr of the Communist Party, it was decided at that time that the American Veterans' Committee was the logical veterans' organization for us to go into in San Diego County, and that I was to become its chairman. That transpired.

Mr. JACKSON. Mr. Counsel, I think at this point the record should show the American Veterans' Committee and the American Veterans of World War II, the Amvets, are two different organizations. Quite frequently the two organizations are confused in the public mind and in light of the statement of the witness that there was Communist control of AVC, it is quite important for many thousands of Amvets to be properly protected.

Mr. HAMLIN. That is right.

Mr. TAVENNER. Now, will you describe your activity within the organization?

Mr. HAMLIN. My activity in the American Veterans' Committee both on a local basis and later on when I was elected as a member of the State committee and later as a State vice chairman of the American Veterans' Committee, was to reach as many veterans as possible.

This is, from the Communist standpoint and the plans that were made both on a local and the statewide basis, to use the American Veterans' Committee as a springboard to affect public opinion in the veterans circles.

Of course, one of our primary duties was to observe those veterans who are most, if I may quote the Communist Party dialectic, militant in their reactions against the status quo, to single them out for discussions, and, if possible, later giving them Communist literature and bringing them to a possible recruitment session in the Communist Party.

I may say that to my knowledge in San Diego there were no veterans that were recruited into the Communist Party through the direct efforts of myself or others who helped me in the American Veterans' Committee.

Mr. TAVENNER. Will you give us the names of those who helped you within that organization who were known to you to be members of the Communist Party?

Mr. HAMLIN. James Toback has already been named; Benjamin Haddock, who I understand has already testified before the committee in executive session; Jeff Boehm, who I mentioned before as having helped in veterans' circles, and actually one other young man whose name escapes me for the moment. Primarily that is the group who worked under the sponsorship of the Communist Party, and we controlled the organization here in San Diego area with that very small group.

Mr. JACKSON. What was the membership of AVC?

Mr. HAMLIN. I cannot tell you definitely. The membership fluctuated from a possible three or four hundred at one time downward.

Mr. JACKSON. So three or four individuals in AVC were able to direct its policy?

Mr. HAMLIN. That is right, and our influence as a veterans' organization, may I state, far outweighed either the membership or the actual accomplishments that we made.

Mr. JACKSON. Did the desire of the Communist Party to infiltrate and control and direct the activities of the American Veterans' Committee spring, at least in part, from the fact that much effective opposition to the Communist Party was present in the old line veteran organizations, let us say the American Legion, Veterans of Foreign Wars, Disabled American Veterans, and groups of that sort?

Mr. HAMLIN. Yes. May I give the American Legion a compliment to the effect that I don't believe any veterans' organization in the United States is so hated by the Communist Party as the American Legion, and I consider that a compliment.

Mr. JACKSON. So do I. Proceed.

Mr. TAVENNER. Now, you have stated that you worked within the American Veterans' Committee also on a State level.

Mr. HAMLIN. Yes, sir.

Mr. TAVENNER. Will you tell the committee about your activities on the State level?

Mr. HAMLIN. I could do it very briefly, but not go into too much detail, because it covers a period of several years.

My first contact on the State level was early in 1946, at which time I, of course, had been elected from San Diego County as the one to represent this area as its representative in the first American Veterans' Committee convention which was to be held in Los Angeles.

After my election, of course I discussed this with George Lohr, the head of the Communist Party, telling him I was to go as a representative from this area, and asking whether or not it would be important for me to contact the Communist Party office in Los Angeles for instructions, or principally any instructions that should be given to me so I could help the Communist Party members in Los Angeles in their efforts in the convention.

George Lohr made contact, just who I do not know, with the Los Angeles Communist Party office, and a few days later told me that I was to report into that office immediately upon my arrival in Los Angeles. That I did.

Upon entering the office and telling them my name at the front desk—

Mr. TAVENNER. By entering what office?

Mr. HAMLIN. The Communist Party office in Los Angeles; I believe it is on Spring Street, I have forgotten; it was in 1946, and I have never been there since—immediately upon my entry there, telling who I was, I was escorted by one of the men who was present back to an inner office, and there I was introduced to Don Wheeldin and another young gentleman, who were introduced to me as Communist Party members, and we sat for some hour or so preparing the speech that was to be given as the opening speech of the American Veterans' Committee convention in Los Angeles.

This speech was delivered by Don Wheeldin.

Mr. TAVENNER. Spell his name.

Mr. HAMLIN. W-h-e-e-l-d-i-n.

Mr. JACKSON. The Chair would like to state that Mr. Wheeldin has been accorded all freedom at the press table.

Mr. Counsel, have you reached a recess point?

Mr. TAVENNER. Just one other point first.

What position did Mr. Wheeldin have at that time, do you know?

Mr. HAMLIN. In the American Veterans' Committee or in the Communist Party?

Mr. TAVENNER. Both.

Mr. HAMLIN. The position he held in the Communist Party I do not know. I would be only surmising. In the American Veterans' Committee I do not either, except that of his giving a speech at that

particular time, and particularly the opening speech, which was considered a very important one, so he must have been rather high in the American Veterans' Committee.

Mr. JACKSON. The Chair has two announcements to make. Is Mr Adams still in the room?

Mr. WHEELER. No, he is not.

Mr. JACKSON. Very well. The Chair has received a telephone message from a Mr. Elmer Larson of Ocean Beach who is most vehement in his statement that he is not the Elmer Larson referred to during the course of the hearings as having been a member of the Communist Party.

The Chair is happy to make this announcement and any other which will have the effect of clearing up any similarity of names. This procedure is in keeping with the policy of the committee that if any person feels that there has come out of testimony such a similarity as may be damaging to his character, he is invited to communicate with the committee, and every effort will be made to put his denial on the record in his own interests and in the interests of the committee.

At this time the committee will stand in recess until two p. m.

(Whereupon, at 12:05 p. m., a recess was taken until 2 p. m. of the same day.)

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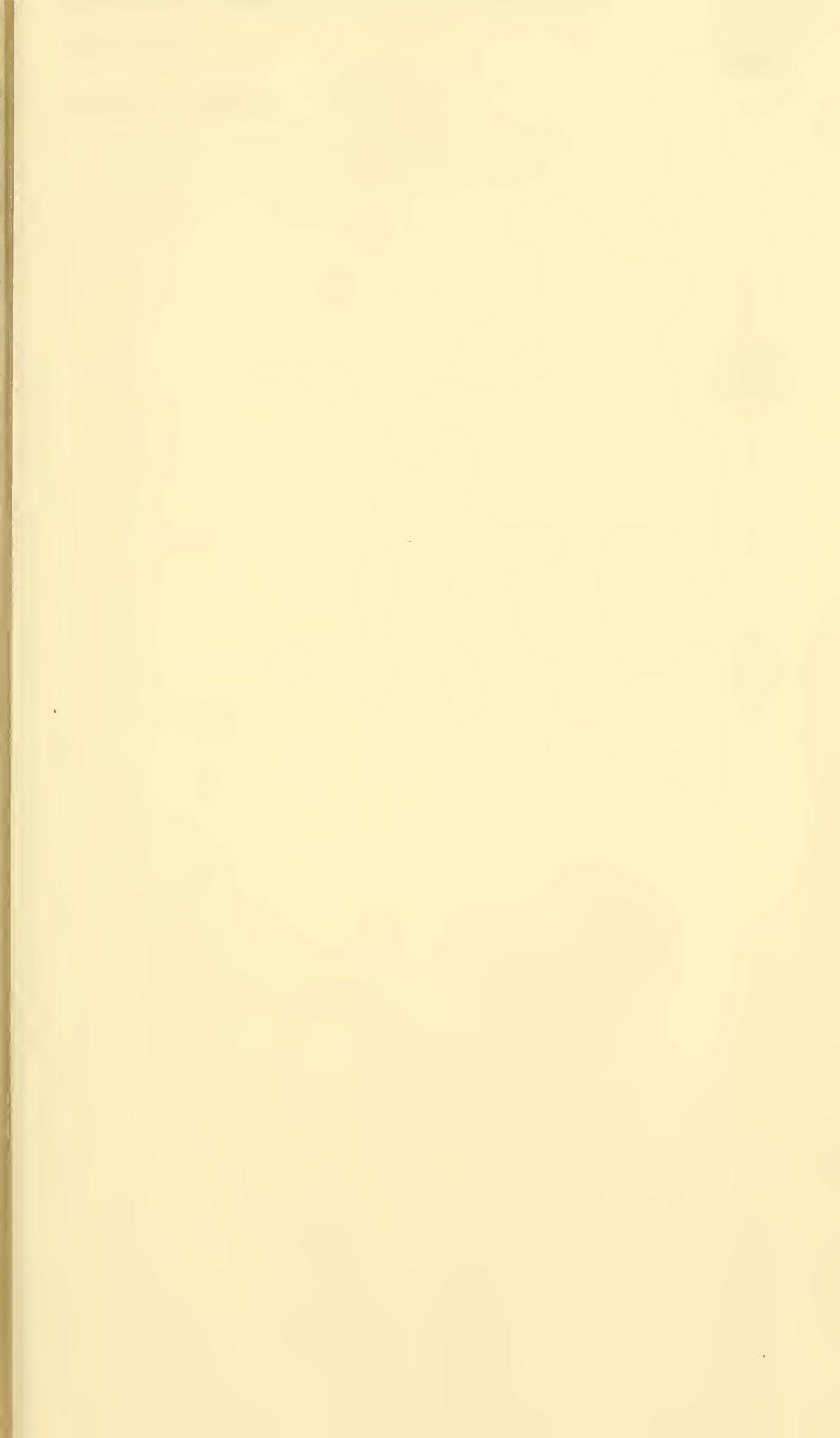
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